

# ANNUAL REPORT

OF THE TOWN OF

## RYE, NEW HAMPSHIRE



Fourth of July Picnic

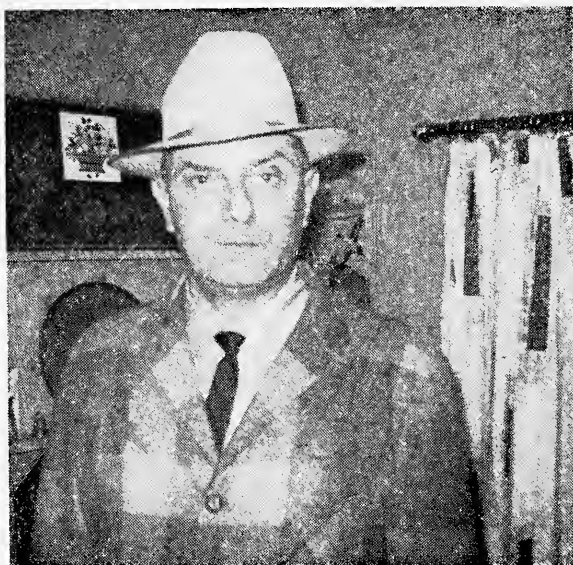
1977

*University of  
New Hampshire  
Library*

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1977  
Town Report  
Is Dedicated To  
RALPH F. HAMMOND



From  
The Citizens of Rye

## **Ralph F. Hammond**

This year's town report is being dedicated to Ralph F. Hammond who will be retiring in January 1978, ending a very distinguished public career in Rye.

Ralph's service began in 1945 when he became one of the call firemen in the Rye Fire Department. In 1953 he was chairman of the Fire Station Building Committee. He was a fire ward from 1968-1972 and has been a State Deputy Forest Fire Warden for the past ten years.

He was a School Board member for two terms, from 1949-1955, and served on the committees responsible for all school expansion done in the town.

Ralph was a member of the Budget Committee for two terms, from 1952-1958, and a Selectman for two terms, from 1962-1968.

He also traveled many, many miles between Rye and Concord during the years 1968 and 1974 when he was a representative in the New Hampshire Legislature for three terms.

He was Town Moderator on two different occasions: From 1952-1954 and from 1968-1972 (his wife, Ruth, was also Moderator from 1954-1956) using a mason's hammer in place of a gavel which was symbolic of his years as a masonry supervisor at the Portsmouth Naval Shipyard.

His last "job" with the Town started in 1969 when he was appointed the Building Inspector. Since then he has seen this position grow from one-day and one-evening a week to a full-time position.

At a retirement party held in his honor, Ralph was presented with a camera, a life-time membership card to the Rye Fire Department, and a certificate from the Division of Forests and Lands for his years as a Deputy Forest Fire Warden.

## Town Officers

For Year Ending December 31, 1977

## Moderator

HENRI A. CAMIRE Term expires 1978

## Selectmen

ROBERT B. GOSS, Chairman                      Term expires 1978

ALDRICH MITCHELL, JR. Term expires 1979

RALPH E. MORANG, JR. Term expires 1980

*Town Clerk*

LEIGH Y. JOHNSTON Term expires 1980

*Treasurer*

WILLIAM A. BISCHOFF                      Term expires 1978

### Tax Collector

PATRICIA D. JENNESS

*Building Inspector*

RALPH F. HAMMOND

*Representative to the General Court*

MELISS A. APPEL (Rye) Term expires 1978

ELIZABETH A. GREENE (Rye) Term expires 1978

MARGARET M. HARTFORD (New Castle)  
Term expires 1978

## Cemetery Trustees

JOHN W. PATRICK	Term expires 1978
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FRANK J. CASWELL, *Supt.* Term expires 1979

CHARLES P. GORDON, Clerk      Term expires 1980

## Supervisors

JOHN W. PATRICK Term expires 1978

ROBERT S. BARBER Term expires 1980

NATALIE B. MORRISON Term expires 1982

## Librarian

MARGUERITE W. LEACH

*Library Trustees*

JEAN S. ILSLEY	Term expires 1978
LOUISE H. TALLMAN	Term expires 1979
HARRY B. TREFETHEN	Term expires 1980

*Trustees*

MELVIN R. LOW, Clerk	Term expires 1978
HARLAN L. GOODWIN, SR.	Term expires 1979
GEORGE W. McALPIN	Term expires 1980

*Highway Agent*

WILLIAM R. JENNESS

*Police Chief*

WALTER E. DOCKHAM, JR.

*Fire Chief*

RICHARD J. EATON

*Municipal Court*

GERALD F. GILES	DOUGLAS R. GRAY
-----------------	-----------------

*Justice*

*Special Justice*

CHRISTOPHER S. CHRISTO

*Clerk*

*State Forest Fire Warden*

RICHARD J. EATON

*Fire Wards*

RICHARD J. EATON	FRANK R. WILSON, JR.
GEORGE W. MOYNAHAN, JR.	

*Health Officer*

SIDNEY R. BAKER, M. D.

*Harbor Master*

JOHN O. WIDEN

*Assistant Harbor Master*

ROBERT J. DUDDY

### *Planning Board*

HARLAN L. GOODWIN, JR., <i>Clerk</i>	Term expires 1978
FRANK J. CIOLEK	Term expires 1979
HENRY C. RABCHENUK	Term expires 1979
CHARLES W. McELROY	Term expires 1981
RICHARD C. STAPLES	Term expires 1982
EDWARD R. WOICCAK, <i>Chrm.</i>	Term expires 1982
ROBERT B. GOSS, <i>Selectman</i>	

### *Board of Adjustment*

ERNEST E. TUCKER, <i>Chrm.</i>	Term expires 1978
HENRY O. McFARLAND	Term expires 1979
NORMAN F. CARLSEN, <i>Clerk</i>	Term expires 1980
LEON H. VALLEY	Term expires 1981
WILLIAM E. ASHLEY	Term expires 1982
JOHN E. MURTAGH, JR. <i>Alternate</i>	Term expires 1978
F. FRANCES VADALA, <i>Alternate</i>	Term expires 1978

### *Historic District Commission*

STEPHAN A. KOSKINAS	Term expires 1978
MADELINE CHICHESTER	Term expires 1978
JUDITH K. PATERSON	Term expires 1979
MARION E. BARRON	Term expires 1980
ALEXANDER H. HERLIHY	Term expires 1980

RALPH E. MORANG, JR., *Selectman*

EDWARD R. WOICCAK, *Planning Board Chairman*

### *Municipal Budget Committee*

MELVILLE E. CLARK	Term expires 1978
GORDON E. GASKELL	Term expires 1978
ROBERT J. BURNS	Term expires 1979
SARAH T. STRAM	Term expires 1979
GEORGE W. MOYNAHAN, JR., <i>Chrm.</i>	Term expires 1980
HERBERT R. DRAKE	Term expires 1980



*Conservation Commission*

JOHN H. GRIMES	Term expires 1978
LOUISE H. TALLMAN	Term expires 1978
CORINNE P. MACDONALD	Term expires 1979
RALPH L. BROWN	Term expires 1979
WILBUR F. LaPAGE	Term expires 1979
JOHN R. CLARK	Term expires 1980
HOPE WRIGHT	Term expires 1980

*Mosquito Control Commission*

NANCY L. BOWEN	Term expires 1978
PATRICIA A. LATHAM*	Term expires 1979
JEFFREY A. QUINN	Term expires 1980

*Recreation Commission*

FRANCES L. D. GOSS	Term expires 1978
MARCIA C. WOICCAK	Term expires 1979
DELTON J. RECORD, JR.	Term expires 1979
ALVIN C. BISSELL	Term expires 1980
JOSEPH G. MILLS, JR.	Term expires 1980

\* Resigned

# Town Warrant

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THE STATE OF NEW HAMPSHIRE

(L.S.)

*To the inhabitants of the Town of Rye in the  
County of Rockingham in said State, qualified  
to vote in Town Affairs:*

You are hereby notified to meet at the Town Hall in said Rye on Tuesday the fourteenth day of March, next, at nine o'clock in the forenoon, to vote upon the following subjects:

ARTICLE 1. To choose a Treasurer for the ensuing year; a Moderator for two years; a Selectman, a Cemetery Trustee, a Library Trustee, a Trustee of Trust Funds and two members of the Budget Committee for three years; and a Supervisor of the Checklist for six years.

ARTICLE 2. To choose all necessary officers for the Rye School District in accordance with the statutory procedure adopted by said District at its March 1962 annual meeting.

ARTICLE 3. To see if the Town will vote to amend the Town of Rye Zoning Ordinance relating to certain editorial changes, clarifications, and other minor changes, as proposed by the Planning Board, to wit:

1. Amend the Zoning Ordinance by adding to Section 11B — Flood Hazard District, the following:

5. Definitions for Flood Hazard Areas:

*Base Flood* means the flood having a one percent chance of being equalled or exceeded in any given year.

*Development* means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

*Flood* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters.

- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

*Flood plain or flood-prone area* means any land area susceptible to being inundated by water from any source (see definition of "flood").

*Floodproofing* means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Habitable floor* means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor".

*Mobile home* means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

*Person* includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

*Structure* means, for flood plain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a mobile home.

*Substantial improvement* means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or (2) any alteration of a

structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

2. Amend the Zoning Ordinance, Section 11A — Wetlands Conservation District, Section 4. Special Exceptions, Paragraph A, by deleting the word "permit" and substituting the words "special exception" so that it reads, "apply for a special exception from the Zoning Board of Adjustment . . .".

3. Amend the Zoning Ordinance, Section 11A — Wetlands Conservation District, Section 4 Special Exceptions, by deleting the present Paragraph B, and substituting a new Paragraph B, as follows:

B. The construction of roads requires a special exception from the Zoning Board of Adjustment, which may be issued where it is shown that, due to existing conditions, no alternative route is feasible, in addition to meeting the existing requirements for special exceptions.

4. Amend the Zoning Ordinance, Section 16, B.5, by deleting the first sentence and substituting the following:

5. No individual mobile home or trailer space shall contain less than the required square feet as stated in footnote 9 of Table 8-2 of "Guide for the Successful Design of Small Sewage Disposal Systems" from page 8-7 published by New Hampshire Water Supply and Pollution Control Commission December 1974 and amended 5 January 1976.

5. Amend the Zoning Ordinance, Section 13 — Non-Conforming Uses, by deleting the present Paragraph B, and substituting the following:

B. Non-Conforming Lots of Record

1. If two or more adjoining lots, in single or joint ownership and of record, at the time this ordinance takes effect, do not meet the requirements for lot frontage, depth or area established by this ordinance, the lots involved shall be considered as a single undivided lot of record for the purposes of this ordinance. No lot shall be created hereafter that does not meet the requirements of frontage, depth and area established by this ordinance. No structure or building shall be erected on any non-conforming lot if the owner of said lot owns any adjoining vacant land which would create a more conforming lot if said vacant land were combined with the lot deficient in area.

2. In any district in which single family or two family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a dwelling and customary accessory building may be erected as a variance on any single lot of record at the time this ordinance takes effect. Such lot must be in separate ownership and not adjoining with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance for such purposes shall be obtained only through action of the Board of Adjustment. No structure or building shall be erected on a non-conforming lot of record unless the lot can meet dimensional requirements and septic system requirements of the State of New Hampshire and the Town of Rye. Approval of septic system design by the New Hampshire Water Supply and Pollution Control Commission shall not necessarily be considered proof of satisfaction of this requirement.

6. Amend the Zoning Ordinance, Section 13 — Non-Conforming Uses, by deleting the present Paragraph A.3, and substituting the following:

A.3 Expansion of Non-Conforming uses is not allowed.

7. Amend the Zoning Ordinance, Section 3 — Use Districts, by adding a new paragraph as follows:

8. Setbacks for buildings on corner lots shall be the same on both streets as required under "Dimensional Requirements — Front Yard" for each use district.

8. Amend the Zoning Ordinance, Section 3 — Use Districts, by numbering the last paragraph which begins "All publicly owned lands and buildings . . ." to conform with the vote on Question #7 above. Amend the Zoning Ordinance, Section 10 — Public Recreation Districts, by changing the reference to Section 3, Paragraph, to conform as above.

9. Amend the Zoning Ordinance, Section 2 — Definitions, by deleting the present paragraph "Structure" and substituting the following:

*Structure:* Anything constructed, the use of which requires permanent or temporary location on or in the ground or water, or attachment to something having permanent or temporary location on or in the ground or water, including but not limited to, stationary and portable carports, swimming pools, tennis courts, parking lots, and driveways with a man-made surface. Fences, stonewalls and driveways are structures, but are exempt from dimensional requirements.

10. Amend the Zoning Ordinance, Section 22 — Enforcement, Legal Procedure and Penalties, by deleting the present Paragraph D, and substituting the following:

D. Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a violation, punishable by a fine of not more than one hundred dollars (\$100.00), upon conviction, for each day such violation may exist or continue. Any such violation, once commenced, shall constitute a continuing violation until it is terminated, and such a continuing violation may be prosecuted as a single violation, or as a series of separate violations.

11. Amend the Zoning Ordinance, Section 15 — Tourist Camps and Motels, by deleting Paragraph G. Limitation of Residence, and substituting the following:

G. Limitation of Residence: No unit shall be occupied in any month other than from May 15 to October 15, excepting the owner or proprietor thereof and bona fide employees, unless approved for year-round occupancy by the Building Inspector, who shall ascertain that (1) there is sufficient leach field capacity, (2) there is sufficient parking under winter conditions, (3) there is an adequate and safe heating system, and (4) no occupant, other than owner, his immediate family, or bona fide employees shall remain in residence more than five (5) months in any one year.

ARTICLE 4. To see if the Town will vote to amend the Town of Rye Zoning Map relating to adding areas to the Historic District, as proposed by the Planning Board, to wit:

Amend the Town of Rye Zoning Map as follows:

1. By adding the State of New Hampshire Isles of Shoals islands to the Rye Historic District.

2. By adding the Brackett Road Massacre Site to the Rye Historic District.

ARTICLE 5. To see if the Town will vote to amend the Town of Rye Building Code relating to certain editorial changes, clarifications, and other minor changes, as proposed by the Planning Board, to wit:

1. Amend the Building Code, Section 1.3 Scope, by adding the following paragraphs:

1.3(e) New and replacement water supply systems within flood-prone areas shall be designed to minimize or eliminate infiltration of flood waters into the systems.

1.3(f) New and replacement sanitary sewer systems within flood-prone areas shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

2. Amend the Building Code, Section 3. Permit, Paragraph 3.1 Application for Permit, by adding "tennis courts" as follows:

3.1 Application for Permit. Every person or authorized agent of such person intending to erect, construct, or move any building or structure or parts thereof, including swimming pools and tennis courts of all types . . .

3. Amend the Building Code, Section 3.1 Application for Permit, by deleting "one thousand (\$1,000.00)" and substituting "five hundred (\$500.00)" so that it reads " . . . to the extent of five hundred dollars (\$500.00) or more in value, . . .".

4. Amend the Building Code, Section 3. Permit, by deleting Paragraph 3.7 Unaccepted Streets, and substituting a new paragraph as follows:

3.7 Unaccepted Streets. No permits shall be issued by the Building Inspector for construction on new streets unless they have been accepted or their completion is guaranteed by the posting of a bond or other surety.

5. Amend the Building Code, Section 7, Building Regulations, Paragraph 7.10 Foundations, by deleting the word "structure" and substituting the word "building" and adding the words "except mobile homes" so that it shall read as follows:

7.10 Foundations. All buildings, except mobile homes, shall be set on solid, continuous foundations . . .

6. Amend the Building Code, Section 7. Building Regulations, Paragraph 7.17 Mobile Homes, by deleting the word "more" and substituting the word "less" so that it reads as follows: "(i) over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations and mobile homes less than 50 feet long requiring one additional tie per side; (ii) frame ties be provided at each corner of the home, with five additional ties per side at intermediate points and mobile homes less than 50 feet long requiring four additional ties per side . . .".

7. Amend the Building Code, Section 2, Building Officials and Administration, by adding a new Paragraph 2.6, as follows:

2.6 The Building Inspector shall maintain a file of complaints about subdivision violations. This file will be open for public inspection during the Building Inspector's normal office hours. Property owners or their agents are required to notify prospective buyers, in writing, of the existence of this file. Failure to comply will be punishable by a fine of not more than one hundred dollars (\$100.00). Complainant must complete and sign the approved form. Notice shall be furnished to the person against whom the complaint was made to allow him opportunity for rebuttal. The use of this complaint system is optional and not exclusive of existing means of making complaints.

ARTICLE 6. To see if the Town will vote to adopt an Historic District Ordinance for the Town of Rye as proposed by the Historic District Commission, and the Planning Board, to wit:

## RYE HISTORIC DISTRICT COMMISSION

### SECTION I — PURPOSE

To preserve for generations to come the unique collections of historically, architecturally and culturally significant buildings and structures which characterize the Town of Rye, New Hampshire, to encourage their maintenance and restoration, and to insure that new buildings and structures and alterations to existing buildings and structures, and uses of buildings and structures within the



District are in visual harmony with their neighbors in order that a district be preserved which will reflect the cultural, social, economic, political and architectural history of the Town of Rye, New Hampshire, conserve and maintain property values in such District, foster civic beauty, strengthen the local economy, and generally provide an opportunity to benefit the education, pleasure and welfare of all the citizens of the municipality.

## **SECTION II — DISTRICT BOUNDARIES**

The Rye Historic District is defined as that area from the west end of Grange Park to the intersection of Central and Washington Roads within 500 feet on either side of the centerline of Washington Road.

The Rye Historic District is defined as Historic Center District and is shown on a map entitled Zoning Map of Rye dated December 1968, revised January 1976 on file with the Town Clerk and Tax Collector.

## **SECTION III — GENERAL DESCRIPTION OF THE DISTRICT**

The Rye Historic District is predominately composed of Pre-Revolutionary, Federal and Victorian residential, commercial and municipal structures dating from the years 1724 to 1973. Typically, the facades of the buildings average forty feet (40') wide, and between 1½ - 2½ stories high. The average street frontage of a building lot is seventy-five feet (75'); the average set-back is ten to fifteen feet (10 - 15') from the edge of the street right-of-way. The average percentage of openings (doors, windows, etc.) as a percentage of the facade is 25 to 40%; the usual construction materials and surface treatment is wood clapboards; the usual roof shape is peaked; usual architectural details are pre-Revolutionary; and the usual landscaping/ground covers are grass, shrubs, and trees. A detailed inventory of the buildings and structures of the District is on file with the Town Clerk and Tax Collector. Copies are available at the public library and from the Historic District Commission.

## **SECTION IV — PROCEDURES: CERTIFICATE OF APPROVAL/NOTICE OF DISAPPROVAL**

Any person wishing to construct, alter, repair, move, demolish, or otherwise change the exterior appearance of

a structure within the District or construct a new structure within the District or institute a new use of land or buildings within the District must obtain a Certificate of Approval from the Historic District Commission before any other building permits otherwise required by the Town are obtained.

A. Application forms are available from the Building Inspector.

B. Upon receipt of an application form, the Historic District Commission shall, within fifteen (15) days,

1. Determine that the application is of no interest and notify the applicant in writing that he may proceed, or,

2. Determine that the application is of interest and schedule a public hearing.

C. Notice of public hearings shall be advertised in a newspaper of general circulation in the Town, shall be posted in at least three (3) public places, and shall be sent by certified mail to abutting property owners and those owning property directly across the street, at least fifteen (15) days in advance.

D. Public hearings shall be open to the general public and testimony may be received from any party.

E. Certificates of Approval or Notices of Denial shall be issued within forty-five (45) days of the filing of an application in accord with RSA 31-89, a-f.

F. Applicants for a Certificate of Approval shall show:

1. Ownership and description of land involved (areas and addresses),
2. Ownership and description of buildings involved,
3. Names and addresses of abutting property owners and those directly across the street, and
4. A description of the work proposed to be done, which should include, as appropriate, a sketch of the site and the buildings located

on the site drawn to scale, and photographs, sketches, architect's renderings or plans, and/or other visual aids. The description shall contain detailed dimensions when any structural features are to be altered or a new building constructed, or when otherwise requested by the Commission.

G. Decisions of the Historic District Commission shall be made in accord with the guidelines for decisions listed below.

H. Decisions of the Historic District Commission shall be appealable to the Board of Adjustment as provided for in RSA 31-89 h.

I. Enforcement shall be as provided for in RSA 31-89, j. and k.

#### *SECTION V — GUIDELINES FOR DECISIONS ON APPROPRIATENESS*

The following principles shall be followed in the granting of a Certificate of Approval within the Historic District.

A. If the proposed construction will not have any visible impact on the exterior of the building or structure, it shall be deemed of no interest.

B. Routine repair to existing structures not involving any other exterior changes shall be deemed of no interest.

C. When determining the appropriateness of all other alterations, restorations, or remodeling of existing structures or sites, the following criteria shall be used: It is possible that in some instances several criteria will be appropriate, in which case the applicant shall state the criteria he is using and the Commission shall decide accordingly.

1. Structures or sites of importance because of a moment in history, be it the date of occupancy by a celebrated personage, or the happening of an event, should be altered only so as to be more in conformity with the appearance at that moment in time.

2. Structures or sites of importance because of their date of construction should be altered to restore fea-

tures of their original appearance unless the structure has been altered at some later time and that alteration is in keeping with the character of the District, or is notable in its own right, in which case as an alternative, such altered appearance shall be maintained.

3. Structures or sites which are important in the history of architecture as unique or exceptionally fine examples of their style should be altered only so as to retain their original appearance.

4. Structures or sites merely typical of their age and style should be altered in a fashion of that age or style, if in keeping with the character of the District.

5. As stated in the enabling legislation of New Hampshire establishing historic districts (RSA 31-89 f.), "The commission shall have the power to . . . review . . . the architectural treatment of the exterior features and finish of structures."

D. New structures and buildings and those being moved into the District from outside the District must conform in general size and scale, but need not conform in precise architectural style to the existing structures within the District. Such a structure must meet the zoning requirements of the Town in the following specifications:

1. Overall height and width.
2. Street frontage.
3. Set back from the street.
4. Number of stories.

In addition, it shall conform to the general style of the District by being similar to neighboring structures in four of the six following criteria:

1. Openings within the facade as a percentage of the facade, i.e. doors and windows.
2. Similarity of construction materials and surface texture, i.e. rough, smooth, wood, brick, etc.
3. Similarity of roofs, i.e. slopes and shapes.
4. Similarity of architectural details, i.e. cornices, lintels, arches, porches, balustrades, wrought iron work, chimneys etc.

5. Similarity of landscaping and ground covering, i.e. grass, brick, granite, etc.

6. Similarity of colors to existing structures.

E. Before a building or other structure is demolished or moved out of the District, the applicant shall in good faith prepare a detailed plan for the re-use of the site which the Commission determines will meet the requirements for a Certificate of Approval. Such Certificate of Approval for demolition and re-use shall only be granted upon a showing by the applicant that to deny such Certificate would result in a hardship unique to the property in question and that such hardship is not common to neighboring properties within the District.

F. Exceptions to the above, based on hardship, may be considered and granted by the Commission.

\* \* \* \*

You are hereby further notified to adjourn to meet at the Rye Junior High School on the eighteenth day of March, next, at seven o'clock in the evening, to vote upon the following subjects:

ARTICLE 7. To see if the Town will authorize the Selectmen to hire money from the Trustees of Trust Funds.

ARTICLE 8. To see if the Town will authorize the Selectmen to hire money in anticipation of taxes.

ARTICLE 9. To see if the Town will vote to allow five percent discount on all property taxes paid within thirty days from the mailing of the tax bills.

ARTICLE 10. To see if the Town will vote to raise and appropriate the sum of six thousand thirty-five dollars (\$6,035.00) to lease the land and license the landfill on Lafayette Road. These monies to be taken from the special fund created under the State and Local Federal Assistance Act of 1972 (Title I, Public Law 92-512, approved October 20, 1972).

(This Article recommended by the Budget Committee)

ARTICLE 11. To see if the Town will vote to raise and appropriate the sum of sixteen thousand dollars (\$16,000.00) to provide storm drains, to continue the program started in 1974. These monies to be taken from the

special fund created under the State and Local Fiscal Assistance Act of 1972 (Title I, Public Law 92-512, approved October 20, 1972).

(This Article recommended by the Budget Committee)

ARTICLE 12. To see if the Town will vote to raise and appropriate the sum of four thousand seven hundred dollars (\$4,700.00) for public works project to be determined by the Selectmen in accordance with Title II, Public Works Employment Act of 1976.

(This Article recommended by the Budget Committee)

ARTICLE 13. To see if the Town will vote to authorize the Selectmen, until directed to the contrary at a subsequent Town Meeting, to apply, negotiate and do all other things necessary to obtain such Federal, State or other assistance as may be available for the report for, design of, and construction of a sewage disposal system, and to authorize the Selectmen to borrow money in anticipation of said assistance as outlined in New Hampshire RSA 33:7-b et seq., as amended, and pass any vote relating thereto.

ARTICLE 14. To see if the Town will vote to raise and appropriate the sum of eighty thousand dollars (\$80,000.00) for the purpose of preparing a facilities plan on sewerage and sewage treatment facilities which are requirements contained in the Federal Water Pollution Control Act, as amended (33 U.S.C. @ 1251 et seq.) and will qualify the Town for Federal funds, such sum to be raised by the issuance of Serial Bonds or Notes not to exceed eighty thousand dollars (\$80,000.00) under and in compliance with the provisions of the Municipal Finance Act (N.H.R.S.A. 33.1 et seq., as amended) and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon, and to take such other actions as may be necessary to effect the issuance, negotiation, sale and delivery of such bonds or notes as shall be in the best interests of the Town, and to allow the Selectmen to expend such monies as become available from the Federal Government under the Financial Assistance Program of the Construction Grants section of the Federal Water Pollution Control Act, as amended (33 U.S.C. @ 1251 et seq.) and pass any vote relating thereto. NOTE: The Town will qualify for sixty thousand dollars (\$60,000.00) in Federal funds, sixteen thousand (\$16,000.00) in State funds,

and four thousand dollars (\$4,000.00) to be raised by local funds.

(This Article recommended by the Budget Committee)

ARTICLE 15. On petition of Richard C. Staples and eleven others, in the event that Articles 13 and 14 do not pass, to see if the Town will vote to instruct the Selectmen to appoint a nine member Pollution Control Committee to study and identify the water pollution problems in Rye and to make recommendations for correcting these situations at the next regular town meeting; and further to raise and appropriate the sum of five hundred dollars (\$500.00) to defray the expenses of this committee.

(This Article disapproved by the Budget Committee)

ARTICLE 16. To see if the Town will vote to raise and appropriate the sum of thirty-one thousand five hundred dollars (\$31,500.00) and authorize the Selectmen to continue the contract with the Rockingham/Strafford Manpower Administration under the Comprehensive Employment and Training Act (CETA). These monies to be refunded to the Town.

(This Article recommended by the Budget Committee)

ARTICLE 17. To see if the Town will vote to raise and appropriate the sum of two thousand dollars (\$2,000.00) to provide engineering services and incidental supplies to continue clearing the Town boundaries and Recreation Area.

(This Article recommended by the Budget Committee)

ARTICLE 18. To see if the Town will vote to raise and appropriate the sum of ten thousand dollars (\$10,000.00) to create a Capital Reserve Fund in accordance with RSA 35:1 to be used to reassess the property of the Town. (This will be required by the Division of Revenue Administration in 1981.)

(This Article recommended by the Budget Committee)

ARTICLE 19. To see if the Town will vote to authorize the Selectmen to enter into any agreement that may be forthcoming as a result of various surveys being conducted by the County and/or area Towns dealing with refuse disposal, and to appropriate the sum of one thousand six hundred ninety-seven dollars (\$1,697.00) for this purpose. NOTE: This money is the unexpended balance from the

appropriation for dump study Article 20 of the 1975 annual meeting.

(This Article recommended by the Budget Committee)

ARTICLE 20. To see if the Town will vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000.00) to pay for damages occasioned by the severe storm of February seventh, 1978, and to authorize the Selectmen to apply, negotiate and do all things necessary to obtain such Federal, State or other assistance as may be available, and accept and expend such funds.

(This Article recommended by the Budget Committee)

ARTICLE 21. To see if the Town will vote to adopt the following ordinance on door-to-door salesmen, to wit:

## REGISTRATION OF DOOR-TO-DOOR SALESMEN

### 1. Definitions

A. Salesmen shall include all persons offering products or service for sale or trade, and all other persons who, by a door-to-door canvass of the Town or any portion thereof shall attempt to solicit any product, service, agreement or signature for any business, political or philosophical gain.

B. Door-to-door shall mean any concerted effort on the part of any person to canvass, for any purpose, any portion of the Town by means of visiting houses on any highway or highways in the Town.

2. Any door-to-door salesmen shall, prior to conducting any canvass of the Town or any portion thereof, register with the Rye Police Department, and shall therewith leave his name, the names of any persons affiliated with him in the Town, the organization represented, his specific purpose, and the length of time he will be in the Town.

3. No canvass shall be conducted for any purpose except between the hours of 9:00 a.m. and 5:00 p.m.

4. Failure to so register shall, upon conviction, be punishable by a fine not to exceed fifty dollars (\$50.00).

ARTICLE 22. To see if the Town will vote to adopt the following ordinance regulating the use of skateboards; to wit:



## SKATEBOARD REGULATIONS

N. H. R. S. A. 44:11

1. The use of skateboards on all public highways, sidewalks and commons within the Town of Rye is prohibited, provided, however, that the Chief of Police, with the advice and consent of the Selectmen, may designate certain streets, roads, and ways upon which the use of skateboards may be permitted.

2. The word "skateboard" is defined, in addition to its ordinary meaning, as any device of any material upon which are attached wheels or rollers and upon which any person may stand or sit, and which device is used to propel that person down or along a plane, way or course, by means of manual pushing or the use of the force of gravity.

3. Violation of this regulation shall subject the person convicted to the maximum penalty provided for the violation of Town Ordinances provided that person be over the age of fifteen (15) years. For the first violation of this regulation by any child fifteen (15) years of age or under, the parents or guardians of such child shall be notified. Upon any subsequent violation, the parents or guardians of such child shall be guilty of a violation as defined by the New Hampshire Revised Statutes Annotated.

4. This ordinance is promulgated under the provisions of RSA 41:11 and shall take effect upon its adoption by the legal voters of the Town.

ARTICLE 23. To see if the Town will vote to amend the Beach Ordinance of the Town of Rye by adding a new paragraph 12 regarding boating and other uses on public beaches and parking areas, to wit:

12. a. No person, club, association or corporation shall be permitted:

(1) To use the public beaches within the Town for landing or taking out of boats.

(2) To place or keep upon the public beaches of the Town any boats.

(3) To use any public parking areas in the Town for storage or parking boats or boat trailers unless such areas are specifically designated for this use.

b. This section shall be effective from June 1st

through October 1st in each year hereafter, unless otherwise permitted to do so by the Board of Selectmen by written authorization.

c. Specifically exempted from the above prohibitions are acts necessitated by emergency conditions or acts specifically sanctioned by the State of New Hampshire in said area.

d. There shall be in addition to any other penalties imposed by law, a fine of fifty dollars (\$50.00) for each violation of this ordinance.

ARTICLE 24. To see if the Town will vote to change the name of Straw's Point to the original name of Locke's Neck. NOTE: This article is inserted at the request of the Locke Family Association.

ARTICLE 25. To see if the Town of Rye will vote to amend the existing 1973 National Fire Protection Association's Life Safety Code 101 by adopting the 1976 edition of said Code.

ARTICLE 26. To see if the Town will vote to raise and appropriate the sum of three hundred fifty dollars (\$350.00) for the Seacoast Big Brothers/Big Sisters of New Hampshire.

(This Article recommended by the Budget Committee)

ARTICLE 27. On petition of Elizabeth A. Tobey and nine others, to see if the Town will vote to raise and appropriate the sum of two hundred seventy-four dollars (\$274.00) to assist Rockingham Child and Family Services, a private, non-profit organization. The amount of this request is based on services rendered to twelve residents of the Town of Rye during the period October 1, 1976 through June 30, 1977, inclusive. These residents used one thousand four hundred seventy dollars (\$1,470.00) worth of service, however, only one thousand one hundred ninety-six dollars (\$1,196.00) could be billed according to their ability to pay, resulting in a deficit of two hundred seventy-four dollars (\$274.00). We therefore request either a match of what the Town residents were billed or the deficit in total, whichever is the lesser amount, in this instance being two hundred seventy-four dollars (\$274.00). These funds to be used for current operating expenses to enable Rockingham Child and Family Services to continue providing individual and family counseling for residents of

the Town of Rye whether or not said residents are able to pay.

(This Article recommended by the Budget Committee)

ARTICLE 28. On petition of Melvin R. Low and eleven others, to see if the Town will vote to purchase from a non-profit organization comprised of Rye citizens called the Parsons Park Corporation, 46 acres of land, more or less, adjacent to the Recreation Area and the Cemetery, and having an access to Washington Road adjacent to the First National Bank, this being shown as Lot 4 on Plan D-5145 recorded in the Rockingham County Registry of Deeds as subdivided by its former owner, Esther W. Parsons; and further to see if the Town will raise and appropriate the total cost of sixty thousand dollars (\$60,000.00) from the Revenue Sharing Account, or as required from taxes if that fund has been reduced by other appropriations below a \$60,000.00 balance; and further to authorize the Selectmen to enter into an agreement with the owners of the property for its purchase on the above terms.

(This Article submitted without recommendation by the Budget Committee)

ARTICLE 29. To see if the Town will vote to raise and appropriate the sum of sixty-five thousand dollars (\$65,000.00) to purchase the property presently used for the sanitary landfill consisting of about 7.25 acres on Lafayette Road owned by Jacob S. Ciborowski. These monies to be taken from the special fund created under the State and Local Fiscal Assistance Act of 1972 (Title I, Public Law 92-512, approved October 20, 1972).

(This Article recommended by the Budget Committee)

ARTICLE 30. On petition of Larry D. Severance and thirty-five others, to see if the Town of Rye will vote to enter into an agreement between the Town and the Rye Police Department. The terms of such agreement are as follows:

## ARTICLE I

### PURPOSE

#### *Section 1.*

The intent and purpose of this AGREEMENT is to (1) establish rates of pay and other conditions of employment such as employee rights and benefits; and (2) establish

procedures for the resolution of disputes concerning interpretation and application of this AGREEMENT.

## ARTICLE II

### NO STRIKE CLAUSE

#### *Section 1.*

Under no circumstances will the DEPARTMENT cause, encourage, sponsor or participate in any strike, sit-down, stay-in-, stay-out, sick-in-, sick-out, work slow-downs, picketing of any kind while on duty, multiple resignations, withholding of services or any curtailment of work of restriction or interference with the operations of the Police Department, or any other department of the Town of Rye during the term of this AGREEMENT. In the event of any such activity, the BOARD shall not be required to negotiate on the merits of the dispute which gave rise to such activity until any and all such activity has ceased.

## ARTICLE III

### PROBATIONARY EMPLOYEES

#### *Section 1.*

All new full time appointees for those positions covered by this AGREEMENT, shall serve a probationary period of one (1) year. All full time personnel who have satisfactorily completed the probationary period shall be known as permanent.

#### *Section 2,*

All Special Police Officers will serve a probationary period of two (2) years.

#### *Section 3.*

The Town has the right to discipline and/or discharge a probationary employee without recourse by the DEPARTMENT.

## ARTICLE IV

### RESIDENCY

All personnel under this AGREEMENT shall live within a reasonable distance from Headquarters. Reasonable distance shall be determined by the Chief of Police prior to appointment.

## ARTICLE V

### PERSONNEL REDUCTION

#### *Section 1.*

Should the BOARD decide to reduce the Department personnel covered by this AGREEMENT, the employee with the least seniority, regardless of rank, in the Department shall be laid off first and rehired in the inverse order of layoff in accordance with the following procedures:

In the event of a recall to work after layoff, notices of recall shall be sent by certified or registered mail or telegram to the qualified employees last known address as shown on the Town records. The recall notice shall state the time and date on which the employee is to report back to work. A recalled employee shall be given at least five (5) calendar days notice, excluding Saturdays and Sundays, to report to work. In the event a recall is necessary on less than five (5) days notice, the Town may call upon the laid off employees, either personally or by telephone, until an employee, who is qualified and able to return to work immediately, is located. In such case the qualified employee able to return to work immediately will be given a temporary assignment not to exceed five (5) days, and employees who are otherwise qualified to perform the work but were passed over because of their ability to return to work immediately will be given notice to report for work at the end of said five-day period. Qualified employees who have been given notices to report for work must, unless confined due to proven illness or injury, make themselves available for such work assignment no later than the end of said five-day period after the notice has been given or they shall forfeit such seniority status as they have accrued with the Town. However, should there be no work assignment when the employee does report within five (5) days set forth herein, then the employee shall retain his seniority status and be entitled to another notice of recall. No new employee shall be hired until all employees who have been laid off for twelve (12) months or less have been given an opportunity to return to work.

## ARTICLE VI

### TEMPORARY SERVICE OUT OF RANK

#### *Section 1.*

Members of the Department, covered by this AGREE-

MENT, who are required to assume the duties and responsibilities of a higher rank, shall be compensated at the same rate of pay as the man he is filling in for, or his own rate of pay if higher, if he has been required to fill in on five previous shifts during the calendar year.

## ARTICLE VII HOURS OF WORK

### *Section 1.*

The hours of work shall be established by the Chief of Police.

## ARTICLE VIII OVERTIME

### *Section 1.*

Any officer covered by this AGREEMENT, required to work more than his regular work week, shall be compensated at the rate of one and one-half ( $1\frac{1}{2}$ ) times his regular hourly rate. Overtime will be paid for actual overtime worked, to the nearest quarter hour.

### *Section 2.*

It is expressly understood that Private Duty and Court Duty are not subject to these overtime provisions.

### *Section 3.*

Any officer, covered by this AGREEMENT, called back to work during his off duty time shall be guaranteed a minimum of two hours work.

## ARTICLE IX HOLIDAYS

### *Section 1.*

The following days shall be considered paid Holidays:

NEW YEARS DAY	COLUMBUS DAY
WASHINGTON'S BIRTHDAY	LABOR DAY
FAST DAY	VETERANS DAY
MEMORIAL DAY	THANKSGIVING
INDEPENDENCE DAY	CHRISTMAS

All permanent members of the Department, including the Chief of Police, covered by this AGREEMENT, shall receive Two Hundred and Fifty Dollars (\$250.00) pay for

such holidays payable the last pay period in November, whether the employee has worked the holidays or not.

If an officer leaves the employment of the Town prior to the payment of Holiday pay, he will receive Twenty-five Dollars (\$25.00) for each Holiday during which he was a permanent member of the Police Department.

*Section 2.*

The provisions of this ARTICLE do not apply to Special Police Officers.

## ARTICLE X

### VACATIONS

*Section 1.*

Vacation shall be earned in accordance with the following schedule:

After 1 through 5 years continuous service — 2 weeks

After 6 through 15 years continuous service — 3 weeks

After 15 years continuous service — 4 weeks

Vacation must be taken in the year that it is earned or will be lost for that year, except that one week may be carried over upon written request to the Chief and written approval by the Chief. One week's vacation may be taken daily and the balance shall be taken in weekly periods. No officer will be permitted to take more than one week's daily vacation in any year during the period extending from June 15 to September 15, without receiving written approval from the Chief of Police.

*Section 2.*

No more than one regular officer may be on vacation at one time.

*Section 3.*

The provisions of the ARTICLE do not apply to Special Police Officers.

## ARTICLE XI

### SICK LEAVE

*Section 1.*

Sick leave shall be earned at the rate of one-and-one-quarter ( $1\frac{1}{4}$ ) days per month for each month worked, ac-

cumulated to an unlimited number of days. Upon retirement or voluntary quit (after five years continuous service), the Town will pay to the officer, an amount representing fifty percent (50%) of the accumulated unused sick leave at the time of retirement or voluntary quit.

*Section 2.*

Any vacation time not taken as herein described shall be added to the employee's accumulated sick leave.

*Section 3.*

The Town may require a physician's statement if an employee is on sick leave for more than five working days.

*Section 4.*

The provisions of this ARTICLE do not apply to Special Police Officers.

## ARTICLE XII

### INJURY LEAVE

*Section 1.*

The Town shall provide Workmens Compensation Insurance for all employees of the Town as prescribed by State Statutes.

*Section 2.*

When an officer is absent from duty after sustaining a personal injury or illness arising out of and in the course of his employment, he shall be paid his full base pay, less the amount of Workmens Compensation received for a period not to exceed one (1) year.

*Section 3.*

If an incapacity, either service connected or non-service connected, continues for more than thirty (30) days, the Chief of Police may order a complete physical and/or mental examination by two or more reputable physicians designated by the Town. If the report of their examination shall prognose the injury or illness as one which permanently incapacitates the officer, the Town shall make application for disability retirement under the provisions of the New Hampshire Police Retirement Law.

*Section 4.*

The provisions of Sections 2 and 3 of this ARTICLE do not apply to Special Police Officers.



## ARTICLE XIII

### LIABILITY INSURANCE

#### *Section 1.*

The BOARD shall, during the term of this AGREEMENT, obtain a liability policy to the limits of \$300,000.00 which provides coverage for: False arrest, libel, slander, wrongful entry and eviction, detention or imprisonment, malicious prosecution, defamation or violation of right of privacy, including assignments out of Town and mutual aid.

#### *Section 2.*

Nothing contained in the ARTICLE, shall be construed as to make the Town of Rye, in any way, liable to: Defend, indemnify, or hold harmless any officer in the event there is no coverage under above mentioned policy.

#### *Section 3.*

Time spent in preparation or in Court by any officer pursuant to any litigation noted in Section 1 shall have such time considered as on duty time in service.

## ARTICLE XIV

### BEREAVEMENT LEAVE

#### *Section 1.*

Special leave of three (3) working days with pay between the date of death and the date of the funeral, inclusive, shall be granted an employee in the event of death of his:

Spouse	Sister
Father	Brother
Mother	Child
Father-in-law	Mother-in-law
or Relative domiciled in the employee's household	

#### *Section 2.*

Special leave of one (1) working day with pay, for the purpose of attending the funeral, shall be granted an employee in the event of the death of his:

Grandchild	Sister-in-law
Grandmother	Aunt
Grandfather	Uncle
Brother-in-law	

*Section 3.*

The provisions of this ARTICLE do not apply to Special Police Officers.

ARTICLE XV  
LONGEVITY PAY

*Section 1.*

Longevity shall be earned in accordance with the following schedule:

Completion of 5 years continuous service	\$100
Completion of 10 years continuous service	\$200
Completion of 15 years continuous service	\$300
Completion of 20 years continuous service	\$400

*Section 2.*

Longevity pay shall be paid in a lump sum on the first pay period in December and shall be separate and apart from the customary weekly pay.

*Section 3.*

The provisions of this ARTICLE do not apply to Special Police Officers.

ARTICLE XVI  
UNIFORM ALLOWANCE

*Section 1.*

The Town shall provide either uniforms, police equipment or a uniform allowance, for all full-time officers covered by this AGREEMENT, in the amount of One Hundred and Fifty Dollars (\$150.00) per officer per year.

Uniforms shall consist of those items as enumerated in the Department Rules and Regulations.

*Section 2.*

The Town shall provide a uniform allowance for all Special Officers in the amount of Twenty-Five Dollars (\$25.00) per year.

ARTICLE XVII  
PRIVATE DETAILS

*Section 1.*

Private details are those details which are not con-

sidered as public employment by the Selectmen, that is, supported by local property tax dollars. All private details will be paid a minimum of four (4) hours at the rate of Seven Dollars (\$7.00) per hour.

*Section 2.*

Private details may be cancelled with three (3) hours notice to the Department.

**ARTICLE XVIII  
SALARY SCHEDULE**

*Section 1.*

Salaries for employees covered by this AGREEMENT, shall be according to the Town of Rye, New Hampshire Personnel Classification Level and Wage Scale in effect for the year 1977, adjusted as follows:

January 1, 1978	10% increase
January 1, 1979	10% increase
January 1, 1980	10% increase

**ARTICLE XIX  
GRIEVANCE PROCEDURE**

*Section 1.*

A GRIEVANCE is defined as a written dispute, claim or complaint which is filed and signed by the DEPARTMENT of the BOARD and which arises under and during the term of this AGREEMENT. Grievances are limited to matters of interpretation or application of specific provisions of this AGREEMENT, except where such provisions have been excluded. Either the DEPARTMENT or the BOARD has the right to initiate a grievance in accordance with the provisions of this ARTICLE.

*Section 2.*

Whenever an employee has a grievance as defined above, the following procedure shall be utilized or such grievance shall be deemed waived.

A) The employee involved shall file the grievance, in writing, with the DEPARTMENT within seventy-two (72) hours from the date of the event which gives rise to the alleged grievance. The DEPARTMENT shall review the merits of the grievance.

B) The DEPARTMENT shall, if wishing to process the grievance, file said grievance with the Chief of Police or his designated agent, for disposition within three (3) calendar days after the grievance was filed with the DEPARTMENT.

C)) If the DEPARTMENT is not satisfied with the disposition of its grievance by the Chief, or if no written decision has been rendered within seven (7) calendar days after filing with the Chief, the DEPARTMENT may file the grievance with the Selectmen for disposition within fourteen (14) calendar days after said grievance was filed with the Chief.

### *Section 3.*

Any mutually satisfactory disposition reached as a result of action taken above shall be final and binding upon the parties as to the matter in dispute.

### *Section 4.*

If said grievance is not reported and/or processed within the time limits set forth in the ARTICLE, the matter shall be dismissed and no further action shall be taken with respect to such grievance.

### *Section 5.*

Should any grievance, as defined in Section 1 above, arise which cannot be settled within the scope of the foregoing sections of this ARTICLE, except for disputes or grievances arising out of contract negotiations, either the BOARD or the DEPARTMENT may submit such grievance to arbitration as follows:

A) If the DEPARTMENT is not satisfied with the disposition of its grievance by the BOARD or if no written decision has been rendered within fourteen (14) calendar days after filing with the BOARD, the DEPARTMENT may submit, in writing, a request to the American Arbitration Association to appoint an arbitrator to hear said grievance in accordance with the rules and regulations of the A.A.A. within seven (7) days after the decision of the BOARD or expiration of time for same as noted above. If the DEPARTMENT fails to submit such written request for the appointment of an arbitrator to the A.A.A. within said seven (7) days, the grievance shall be deemed abandoned

and no further action shall be taken with respect to such grievance.

B) The arbitrator shall not have the power to add to, ignore or modify any of the terms and conditions of this AGREEMENT. His opinion shall not go beyond what is necessary for the interpretation and application of express provisions of this AGREEMENT.

C) The decision of the arbitrator shall be binding on the parties as to the matter in dispute

#### *Section 6.*

The expenses of the arbitrator shall be shared equally by the parties. Each party shall make arrangements for and pay the expenses of witnesses which are called by them.

#### *Section 7.*

The BOARD shall have the right to initiate a grievance growing out of a dispute, claim or complaint arising under and during the term of this AGREEMENT, provided, however, that the BOARD may, in its discretion, submit any claim by the BOARD for breach of ARTICLE II of this AGREEMENT entitled "No Strike Clause" to any forum of the BOARD's choice. In the event the BOARD initiates a grievance, it shall do so by filing said grievance with the DEPARTMENT within seventy-two (72) hours from the date of the event which gives rise to the alleged grievance. If the matter is not resolved by and between the BOARD and the DEPARTMENT within fourteen (14) calendar days from the date the BOARD submitted said grievance to the DEPARTMENT, the BOARD may submit a written request to the American Arbitration Association to appoint an arbitrator to hear said grievance in accordance with its rule and regulations and the provisions of Section 5 (B) and (C) and Section 6 of this ARTICLE shall apply to such proceeding.

#### *Section 8.*

Nothing contained herein shall be construed as limiting the right to any employee having a grievance to discuss the matter informally with any appropriate member of the Police Department, and having the grievance adjusted without the intervention of the DEPARTMENT, provided the adjustment is not inconsistent with the terms of this AGREEMENT.

## ARTICLE XX SEPARABILITY

### *Section 1.*

If any provision of this AGREEMENT or any application of the AGREEMENT to any employee or group of employees, covered by this AGREEMENT, is found contrary to law, then such provision or application will not be deemed valid and subsisting, except to the extent permitted by law, provided, however, that all other provisions of the AGREEMENT and application thereof shall continue in full force and effect.

## ARTICLE XXI DURATION OF AGREEMENT

### *Section 1.*

This AGREEMENT shall be in full force and effect from March 7, 1978 to midnight on March 5, 1979 and shall continue from year to year thereafter unless written notice by registered mail of desire to cancel or terminate the AGREEMENT is served by either party upon the other at least ninety (90) days prior to the date of expiration.

## ARTICLE XXII APPLICABILITY

### *Section 1.*

All provisions relative to employee benefits set forth in this AGREEMENT shall also apply to the Chief of Police, with the exception of compensation for overtime as set forth in ARTICLE VIII of this AGREEMENT.

ARTICLE 31. On petition of Bruce E. Walker and nineteen others, to see if the Town will vote to allow the permanent firefighters of the Town to be paid time and one-half for all time worked over the normal work week to the nearest half hour, ten paid holidays at the rate of two hundred fifty dollars (\$250.00) per man, per year, to be paid whether worked or not, an additional five (5) days vacation time after five (5) years and an additional five (5) days after twenty (20) years and the hours of work shall be established by the Chief of the Fire Department and upon retirement or voluntarily leaving (after five years continuous service) the Town will pay to the firefighter an amount representing fifty percent (50%) of his accumulated unused sick leave.

ARTICLE 32. On petition of Richard J. Eaton and twenty-one others, to see if the Town will vote to raise and appropriate the sum of seven thousand eight hundred dollars (\$7,800.00) for the purchase of a new three-quarter ( $\frac{3}{4}$ ) ton pickup truck for the Fire Department.

(This Article submitted without recommendation of the Budget Committee)

ARTICLE 33. On petition of Joseph G. Mills and twenty-eight others, to see if the Town will vote to raise and appropriate twenty thousand dollars (\$20,000.00) for the purpose of preparing a plot of ground in the Recreation Area suitable for an all-purpose athletic field.

(This Article recommended by the Budget Committee)

ARTICLE 34. On petition of Maynard L. Young and eleven others, to see if the Town will vote to appropriate the sum of fourteen thousand dollars (\$14,000.00) for the replacement of equipment and improvement of the Elementary School Playground and authorize the withdrawal of the amount required for this purpose from the Revenue Sharing Fund established under the provisions of the State and Local Assistance Act.

(This Article recommended by the Budget Committee)

ARTICLE 35. On petition of Robert J. Burns and twenty-four others, to see if the Town will vote to establish a procedure for the direct election of members of the Rye Planning Board and the Board of Adjustment. The following procedure to be used:

Planning Board - Beginning with the annual town election of 1979, elect three members for a term of three years and three members for a term of two years. Future elections to be held whenever a term is about to be vacated. One member of the Board of Selectmen to be appointed by that Board to serve a one year non-consecutive term as the seventh member of the Planning Board.

Board of Adjustment - Beginning with the annual election of 1979, elect two members for a term of three years, two members for a term of two years, and one member for a term of one year. Future elections to be held whenever a term is about to be vacated.

Vacancies on either Board for whatever reason, to be filled by appointment by the Board of Selectmen.

ARTICLE 36. On petition of Guy Chichester and fifteen others to see if the Town will send a letter urging the General Court to pass legislation to prohibit utilities from charging for construction work in progress (CWIP) and facilities not actually able to provide service.

ARTICLE 37. A) To see if the Town will vote to accept the budget submitted by the Budget Committee and pass any vote in relation thereto, and,

B) To raise and appropriate such sums of money as may be necessary to defray Town charges for the ensuing year.

ARTICLE 38. To transact any other business that may legally come before this meeting.

Polls will not close before seven o'clock p.m. March 14, 1978.

... Business meeting at seven o'clock p.m. at the Rye Junior High School Auditorium on March 18, 1978,

Given under our hand and seal this twenty-third day of February in the year of our Lord, nineteen hundred and seventy-eight

ROBERT B. GOSS  
ALDRICH MITCHELL, JR.  
RALPH E. MORANG, JR.  
*Selectmen of Rye*

A true copy of the Warrant. ATTEST:

ROBERT B. GOSS  
ALDRICH MITCHELL, JR.  
RALPH E. MORANG, JR.  
*Selectmen of Rye*



# Town Budget — 1978

	Appropriations Previous Fiscal Year	Recommended 1978
<b>General Government:</b>		
Town Officers' Salaries	\$ 26,330.00	\$ 28,584.00
Town Officers' Expenses	29,019.00	31,449.00
Election & Registration Expenses	1,670.00	3,280.00
Municipal & District Court Expenses	4,050.00	4,050.00
Town Hall & Other Town Buildings	16,360.00	15,519.00
Employees' Retirement & Social Security	22,646.00	24,819.00
<b>Protection of Persons &amp; Property:</b>		
Police Department	106,698.00	118,553.00
Fire Department	82,235.00	86,336.00
Care of Trees	12,000.00	12,000.00
Insurance	35,000.00	50,750.00
Planning & Zoning	15,573.00	18,328.00
Damages & Legal Expense	4,100.00	7,100.00
Civil Defense	10.00	10.00
<b>Health Dept. (Incl. Hospitals &amp; Ambulance)</b>		
Mosquito Control	16,500.00	17,770.00
Town Dump & Garbage Removal	34,000.00	34,000.00
<b>Highways &amp; Bridges:</b>		
Town Maintenance—Summer & Winter	110,250.00	125,600.00
<b>Street Lighting</b>		
General Expenses of Highway Department	1,200.00	1,400.00
Town Road Aid	18,048.00	20,387.00
	777.00	770.00
<b>Libraries:</b>		
	30,414.00	31,593.00
<b>Public Welfare:</b>		
Town Poor	5,000.00	5,000.00
Old Age Assistance	8,000.00	8,000.00
<b>Patriotic Purposes: (Memorial Day, etc.)</b>		
	1,700.00	1,600.00
<b>Recreation:</b>		
	14,038.00	12,778.00
<b>Public Service Enterprises:</b>		
Historic District Commission	100.00	100.00
Conservation Commission	900.00	500.00
Advertising & Regional Associations	175.00	175.00
<b>Debt Service:</b>		
Principal & Long Term Notes & Bonds	2,400.00	2,250.00
Interest—Long Term Notes & Bonds	500.00	400.00
Interest on Temporary Loans	6,500.00	5,500.00
<b>Capital Outlay (List Below):</b>		
Highway Construction	40,000.00	64,000.00
New Equipment—Highway	6,000.00	18,000.00

<b>Payment to Capital Reserve Funds</b>		4,000.00	4,000.00
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**Special Articles:**

Landfill Lease	No. 13	6,025.00	(10)	6,035.00
Storm Drains	No. 14	16,000.00	(11)	16,000.00
Sawyer's Beach	No. 15	6,000.00		
Town Buildings	No. 16	7,000.00		
Public Works	No. 17	363.00	(12)	4,700.00
Sewer Engineer Study			(14)	80,000.00
C.E.T.A.			(16)	31,500.00
Boundary Survey			(17)	2,000.00
Capital Reserve Revaluation			(18)	10,000.00
Dump Study			(19)	1,697.00
Storm Damage			(20)	15,000.00
Big Brother/Sister			(26)	350.00
Rockingham Child & Family			(27)	274.00
Dump Purchase			(29)	65,000.00
Ball Field			(33)	20,000.00
School Equipment			(34)	14,000.00
<b>Total Appropriations</b>		<b>698,681.00</b>		<b>1,030,248.00</b>
<b>Estimated Revenues</b>		<b>386,287.00</b>		<b>525,848.00</b>
<b>Estimated amount to be raised by taxes</b>				
exclusive of County				
& School Taxes		312,394.00		54,400.00
		<b>698,681.00</b>		<b>1,030,248.00</b>

**Submitted without recommendation by the Budget Committee:**

Parsons' Park	No. 28	60,000.00
Fire Truck	No. 32	7,800.00

**Articles disapproved by the Budget Committee:**

Sewer Study	N. 15	500.00
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## Selectmen's Report

The amendments to the Zoning Law relative to wetlands and septic systems greatly increased the work of the building inspector. However, we do have very good control of building activities in these areas.

The articles to purchase the entire Parsons' property failed to pass both at the regular and special town meetings. The Parsons' Park Corp., present owners, are offering to sell the Town 46 acres for \$60,000.00. This does not include the house or front field. Many feel that purchase of the land for future town use is a wise move.

The owner of the dump has indicated that he wishes to discontinue the lease agreement. The selectmen feel that the town should purchase the property which can be used as a source of gravel for the highways as well as a landfill.

The Water Supply and Pollution Control Commission has notified the town that an engineering study of the possible sewage needs of the town at an estimated cost of \$80,000.00. The net cost to the town is 5% or \$4,000.00. This study will determine the problem areas and recommend solutions to alleviate any problems.

We extend our thanks to the committees that participated in the fine programs on Memorial Day and Fourth of July.

Also, we extend our best wishes to Ralph Hammond, retired Building Inspector, and wish him many years of enjoyment.

In closing we extend our thanks to the town employees and to the members of various commissions for their many hours of work in behalf of the Town of Rye.

Respectfully submitted,  
ROBERT B. GOSS  
*Chairman, Board of Selectmen*

## Town Clerk's Report

January 1, 1977 through December 31, 1977

Auto Permit Receipts	\$106,677.50	
Dog License Receipts		
276 Males	\$ 567.00	
48 Females	237.50	
254 Spayed Females	506.75	
1 Altered Male	1.75	
2 Kennels	37.00	
99 Penalties	103.00	
10 Reissues	10.00	
	<hr/>	
	\$ 1,463.00	1,463.00
Miscellaneous Receipts		
U. C. C.	\$ 222.00	
Vital Statistics	46.00	
Marriage Licenses	140.00	
Filing Fees	6.00	
Debit Memo Charges	15.00	
Recount (Parsons)	10.00	
	<hr/>	
	\$ 439.00	439.00
Amount Paid to Treasurer		<hr/>
		\$108,579.50

A true record, ATTEST:

LEIGH Y. JOHNSTON  
*Town Clerk*

## Highway Agent's Report

When we are not coping with those problems generated by weather, correction of drainage problems within the Town of Rye continues to occupy a large portion of both our time and our financial resources. Each area updated or replaced will require less manpower and material in the future. Based on a needs assessment, priorities have been set for the continuation of this work and much groundwork (easements, engineering surveys, etc.) has already been completed which will result in the alleviation of several major drainage problems during 1978.

As you read this, we should be in the process of correcting a long time problem at the junction of Elwyn Road and Foye's Corner involving safety and vision, as well as drainage. Other areas to receive attention in '78 include sections of Grove and Garland Roads, Brackett Road near the Hathaway property, Wallis Road at the junction of Park Ridge, Washington Road near Dr. Baker, the Mt. View/Blueberry Lane area, and a portion near the entrance to Route #1. I also plan to initiate correction of an extensive drainage problem along the length of Perkins Road.

Coordination of work by Rye Highway and the Rye Water District has resulted in financial benefit to each, ultimately to every taxpayer. Following installation of water mains, we have resurfaced sections of Central and Grove, widened and resurfaced Locke and Harbor involving removal of ledge and boulders, and sealed sections of Clark and Brackett. Portions of both South and West Roads were leveled and repaved while the remaining sections of West were oiled and sealed along with Garland Road and Fern Avenue. A portion of Garland Road was done in conjunction with Rye Water.

During 1978 work will continue on both Clark and Brackett Roads. At this writing, prices on asphalt products are speculative making it impossible to state exactly the type and amount to be accomplished.

Our tree program continues and elm trees are becoming scarce. Through cooperation with Mr. Wilbur Lepage and the Rye Conservation Commission, we provided the manpower and they supplied the equipment/materials to inoculate more than a dozen elms in the hope of aiding

their survival. Trees selected for this process may show no more than 5% disease.

The energy crisis/high fuel prices has resulted in numerous requests for firewood whenever we remove trees. Our policy gives first priority to the abutter.

Excessive salt application on roads during periods of icing gives rise later to problems regarding water pollution claims and the premature death of roadside trees. Sparing use of salt must be balanced by demand of the motoring public for continual use of the roads regardless of weather conditions and attempting to outguess the weather by application only during those times when the necessary factors are present which will allow the salt to "work".

Increased use of the Town Hall and offices has resulted in need for expanded parking in the Hall area. Consequently, original plans have been altered to include granite steps, partially completed, up over the embankment at the rear of the Hall to reach the upper parking lot and continuation of the large retaining wall on the south side to allow more off the road parking there. As in the past, highway manpower will be utilized here between tasks of higher priority.

The technique of ramping and compacting, plus our voluntary recycling program has added life to our landfill dump operation. Volume of the recycling program has increased and will, for the first time, reflect income to the town due to your efforts. Every item carried away via recycling saves both tax dollars and landfill space. We now have a large trailer for cardboard which has high value at the present time plus five containers marked as follows: CLEAR GLASS, GREEN GLASS, BROWN GLASS, CANS, and NEWSPAPERS ONLY.

Most citizens are aware of the statewide race by refuse to energy companies not only to interest but to bind towns and cities to long term commitments. Everyone should be aware that the refuse to energy programs are not simply a matter of supplying trash and buying energy. Communities trucking their own refuse to such plants must then expend a considerable amount per ton for their delivery. We have a workable operation—its duration depends upon each homeowner and your willingness to recycle everything possible.

We have not traded or purchased a dump truck since 1975. In order to maintain our renewal schedule, we must invest in a new 27 GVW truck this year. As in the past, we will seek the best piece of equipment for the best price.

On the 20th of August, 1974 the subdivision plan for Tahlton Woods was accepted by the Rye Planning Board. Supervision of the construction of Alechon Street has taken innumerable hours of my time as the project has been complicated by lawsuits, failure of the developers until very recently to provide a qualified engineer as specified in our subdivision regulations, and my insistence upon compliance with standards set forth in the subdivision plan which frequently encountered verbal abuse. Not until the fall of 1977 did the developers bring in the Griffin Construction Co. and a qualified engineer to be present as the road was brought up to acceptable standards.

Action on Article 23 of the March 1976 Town Meeting instructed me to notify the selectmen when Alechon Road/Tahlton Woods was in conformity with specifications set forth by the Rye Planning Board. I am reporting to you that the selectmen have been so notified. The physical construction of this road now conforms to the accepted subdivision plan; but drainage of water throughout this project will continue to cause problems.

In my opinion, the first phase of the "Tahlton Woods experience" has served to bring several problems into focus:

1. It has added merit to the idea that we should insist upon completion and acceptance of a subdivision road prior to issuance of any building permits thereon.
2. Proof of all necessary easement agreements should be required, furnished, and filed with the Town Clerk.
3. Easement problems will increase and complicate with development as much of Rye lies between the Belly-hack Swamp and its natural outlet, the Atlantic Ocean.
4. The surge of development has made it virtually impossible for the Building Inspector and the Selectmen to follow up and oversee all approved projects and variances to protect the Town sufficiently. It is not my role to levy fines when violations are in evidence but provisions for this are defined in our subdivision regulations. In the case of Alechon Road violations were in evidence and brought to the attention of officials.

One year ago my report noted that Rye highway employees are not covered by a retirement system as are our Fire and Police Departments. We have had verbal promises of consideration in this area but no action has been taken and another year has gone by. My men cannot work on shifts which allow second jobs for they must be available from November first through April on a twenty-four hour basis. Family plans are frequently cancelled because of the weather but many times they must stay at home in anticipation of storms that never materialize and there is no compensation for this. Weekends, nights, holidays—they have never failed to be available. Neither of us can thank them sufficiently for their dependability and dedication.

Respectfully submitted,  
WILLIAM R. JENNESS  
*Highway Agent*

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## **Fire Chief's Report**

The year of 1977 was a busy year for the Fire Department. The members and I would like to sincerely thank all the people that have helped us in any way this past year.

I would like to remind the people of Rye to use extreme caution when they install or have wood burning stoves, etc. installed in their property. The Fire Department would be very happy to give you what assistance they can or try to advise you where you may obtain the necessary information you may need. Be sure to keep your chimney flues clean so you won't get an accumulation of creosote and soot that causes chimney fires.

The members and I feel that the Fire Department should have a vehicle to do inspections and to get parts and supplies for the Department rather than to have to use their own vehicles. We realize that the Town pays mileage. There is also a need for a smaller vehicle to get into the woods as our big trucks are too heavy to go very far off the road.



Your Fire Department responded to 130 calls for the year of 1977 as follows: Building Fires 10, Oil Spill 1, Electrical 11, Chimney Fires 9, Public Assists 8, Investigations 13, Woods and Grass 22, Automobile Fires 8, Fire Alarm Activations 6, False Alarm 1, Ambulance Assists 3, Auto Accidents 11, Furnace Fires 3, Lightning Strikes 1, Boat Fire 1, Missing Persons 3, Station Cover 4, Mutual Aid to Portsmouth 7, North Hampton 6, Greenland 2, Mutual Aid assistance was requested to Rye from Portsmouth 4, North Hampton 2, and Greenland 1.

The Boy Scouts aided the Fire Department in locating a lost person. Their help was very much appreciated. This organization is a very dedicated group of boys.

The Department would like to thank Mrs. Joseph Coffey for the American Flag she donated for the Fire Station Flag Pole.

The annual Christmas Party and Parade was held in conjunction with the Rye Lions Club and Rye V.F.W. Post with Santa greeting the children at the Town Hall.

The members and I would like to thank all of the sponsors that made our 1978 Fire Prevention Calendar Program another success.

Again, I urge the people that have not displayed their house numbers to please do so as it is very difficult to find a home in a hurry without a house number.

The members and I would like to thank the Ladies Auxiliary for their help during the past year.

Respectfully submitted,

RICHARD J. EATON  
*Fire Chief*

## **Forest Fire Warden's Report**

I would like to remind you that there is to be *NO BURNING* between the hours of 9:00 AM and 5:00 PM unless it is raining or the ground is completely covered with snow. You must have a written permit signed by the Forest Fire Warden or his Agent before you kindle a fire. Permits may be obtained at the fire station.

I would like to remind you that there has been some changes in outside burning laws this past year.

1. *Written permission* of both landowner and the Forest Fire Warden *is now required* to kindle outdoor camp and cooking fires.
2. Residential burning of brush and tree cuttings not over five (5) inches in diameter on an occasional basis by an individual land or homeowner from material generated by the owner.

I would like to thank the people of Rye for their co-operation and understanding during the dry months of June, July, and August 1977 when we didn't issue any outside permits for outside burning due to the extreme dry conditions.

Respectfully submitted,  
**RICHARD J. EATON**  
*Forest Fire Warden*

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## **Rye Police Department**

The Rye Police Department wishes to thank everyone who assisted and helped the Department this past year.

I want to thank the men of the Department for taking over while I was out sick and keeping the Department running smoothly in my absence.

On April 7, 1977 the Selectmen promoted Patrolman Alvin C. Bissell to the rank of Sergeant, so as now the Department has a ranking officer to be left in charge in the absence of the Chief.

Also, last year at the Town Meeting, the Town okayed a clerk for the Department which eases up greatly on the paperwork load that the Department used to have to do.

In 1976-1977 the Department had the Explorer Post which held bi-weekly meetings covering the workings of a Police Department. In June of 1976, two Cadets were sent to the Police Cadet Academy sponsored by the New Hampshire Chiefs of Police Association through a grant from the Law Enforcement Assistance Association. The Cadets were James Coombs and Thomas Record. They came back and worked for the Town during the summer of 1977 which was paid for by the Federal Government. I never got a chance to work with them under this Program, but I feel this is a good way any youth of the Town of Rye wanting to find out what police work is like should try to get into a Cadet Program.

I ask again for the support of all citizens of the Town of Rye in reporting anything which is out of the ordinary or suspicious nature. It is only with your support, and only your support, the Department can operate to the best of its ability.

A reminder to Motor Vehicle owners: Your cars must be registered on your birthmonth and inspected on your birthmonth, then six months later as required by New Hampshire Law.

Juvenile Officer Larry D. Severance reports for the year of 1977, compared to area towns we were low in the juvenile area. The juvenile problem is on the upswing. The Rye Police Department handled a total of 71 juvenile offenders. The breakdown is as follows:

36 cases were on the street, 35 cases resulting in some type of court action.

Crimes were:

	<i>Male</i>	<i>Female</i>
Runaway	0	2
Burglary	7	1
Drugs	7	2
Malicious Damage	3	0
Motor Vehicles	3	0
Liquor	2	0
Other	7	1

Total of 35, all released to parents.

The following is a list of the workload and items that were handled by this Department during the past year:

Complaints	637
Arrests	84
Assaults	6
Burglar Alarms	92
Burglary	75
Criminal Mischief	87
Criminal Threat	2
Criminal Trespass	11
Civil	10
Disorderly Conduct	1
Drugs	11
Missing Persons	4
Phone Calls	1
Robbery	4
Summons	400
Larceny by Theft	83
Warnings	316
D. E. Tags	47
Accidents	170
Public Assist	477
Parking Tickets	647
Open Doors and Windows	34
Aid to Other Departments	127
Escorts	25
Miscellaneous	560
Mileage	96,494

Gallons of Gas	6,885
Juveniles	71
Suspensions	3
Recovered Property	\$21,839.00

Respectfully submitted,  
WALTER E. DOCKHAM, JR.  
*Chief of Police*

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## Rye Municipal Court

At the conclusion of 1977, 471 cases were heard in the Rye Municipal Court. These cases consisted of 411 violations, 52 misdemeanors and 8 felonies.

As in the past few years there have been several administrative changes in keeping with the standardization of Municipal and District procedures throughout the State System.

The two most noticeable changes have been the standard traffic ticket and a 10% change on all fines paid to the Court for all offenses including violations, misdemeanors and town ordinances with the exception of parking fines. This change is transmitted to the N. H. Police Standards and Training Council.

The standard traffic ticket is designed in such form as to allow offenders to plead by mail if they so desire. This would preclude the necessity of their appearance before the Court to answer the complaint. They may, however, elect to appear if they wish to have their case heard. This procedure is only applicable for those offenders categorized as violations. All other offenses require a personal appearance by the defendant. The procedure is designed to make it more convenient for the general public but does require more administrative time and expense to the Court.

The Rye Municipal Court continues to hold its regular weekly session on Monday evening at 7:00 P.M. for pleas and arraignments. Those cases requiring hearings are

scheduled for Wednesday mornings at 9:00 A.M. This schedule has been effective in disposing of cases as required.

The Court would like to take this opportunity to thank the Selectmen, Police Department and all the other agencies local, county and State who have assisted the Court during the past year.

Respectfully submitted,  
**CHRISTOPHER S. CHRISTO**  
*Clerk*

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## **Planning Board**

During 1977 the Rye Town Planning Board considered twenty-five applications for subdivisions. Several of these were for small two or three lot subdivisions and one was for a very large subdivision involving approximately eighty acres of land being divided into forty houselots, with roads and conservation areas. The processing of the applications, both large and small, has become more involved due to wetland considerations and our more stringent septic system requirements. In addition the Board also acted on a number of applications for approval of plans for existing lots of record for recording purposes.

The Board held a number of worksessions this year to consider proposals to add to or change the zoning ordinance, Building Code, and Subdivision Regulations. Several new and innovative proposals were considered and recommended. We also proposed a number of items to clarify the existing ordinance as shown necessary by our experience in acting on applications, studying existing subdivisions, and by the Town's experience in court.

Several suggestions have been made to the Board for our consideration in the future. Included in these sug-

gestions is an ordinance to control the rate of growth of the town. This and other matters will be considered by the Board during 1978.

Respectfully submitted,  
EDWARD R. WOICCAK  
*Chairman*

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## **Southeastern New Hampshire Regional Planning Commission**

The Southeastern New Hampshire Regional Planning Commission assisted the Rye Planning Board in drafting proposed zoning ordinances, building codes, and subdivision regulations in the past year.

In addition, a staff member has continued to hold office hours for four hours a week on Tuesday afternoons as a Planning Board assistant. She receives and checks plats, answers questions of the public, and attends all meetings, work sessions and hearings, plus visits proposed subdivision sites. Rye paid a fee over and above its annual contribution for this extra service.

The Rye Board of Adjustment also received assistance in preparing a new application form for variances, special exceptions, and appeals.

Respectfully submitted,  
CHARLES TALLMAN  
CHARLES McELROY  
*Representatives to the  
Commission*

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## **Report of the Building Inspector**

This is my ninth and final report as the Building Inspector for the Town of Rye. The position has grown from a part time job, that required office hours one evening a

week to meet the public and issue building permits plus one day a week for on-site inspections, to a full time job. In fact, the time required has sometimes exceeded 40 hours a week.

This increased growth in construction and the changes in the Zoning Ordinance, the Building Code, and the Subdivision Regulations all require more time involvement on the part of the Building Inspector. Therefore, I have decided to fully retire from official participation in Town affairs.

The following list shows the comparison between the number of permits which were issued in the past three years:

	1975	1976	1977
Total number of permits issued	164	179	232
New homes	24	50	55
Additions, repairs, remodeling	117	71	119
New business buildings	0	1	5
New garages (private)	0	10	14
Hotels/Motels	0	1	0
Tool sheds/work shops	0	18	13
Gravel pit permits	1	1	1
New signs	3	1	1
Commercial or business septic systems	0	4	3
Swimming pools	2	6	6
New fences and stone walls	9	14	12
Demolition of buildings	7	2	1
Tennis courts	0	0	3
Observe & record test pits and perk tests (number of lots)	0	0	86
Private property septic systems	51	68	56
Zoning violation investigations	21	17	32
Attendance at court hearings	1	1	4
Value of Permits Issued	\$3,271.00	7,060.00	7,300.00



Value of construction	\$1,496,924.00	
		\$3,434,033.00
		\$3,117,221.00
Réceipts: Test pits/perk tests	0	\$747.00

Respectfully submitted,

RALPH F. HAMMOND

*Building Inspector*

## Report of the Board of Adjustment

The Rye Zoning Board of Adjustment consists of five members appointed by the Selectmen for varying terms of five years each. The members this year are: Chairman, E. Pete Tucker; Clerk, Norman F. Carlsen; William E. Ashley, Leon Valley, and Henry McFarland. Alternates are: Frances Vadala and John Murtagh.

Regular meetings are scheduled the first Tuesday of each month in the conference room of the Rye Public Library for the purpose of acting on appeals from the terms of the Zoning Ordinances. The Board hears, decides, or reviews appeals from any order, requirement or decision made by an administrating enforcing official. It also hears and decides special exceptions to the Zoning Ordinances.

Thirty-six appeals were processed during 1977 and of these, 21 were approved and 15 disapproved. Each appeal is considered on its own merit and the "Right to Know" law is strictly observed at all times.

We wish to thank the residents and officials of the Town for their interest in the meetings and actions of the Board. We will continue to do our best to insure proper zoning procedures.

Respectfully submitted,

NORMAN F. CARLSEN

*Clerk*

## **Rye Ambulance Corps**

The Rye Ambulance Corps has had an active year with 280 runs compared to 236 in 1976 and 216 in 1975. These 280 runs can be broken down as follows: 63 highway emergencies, 100 home emergencies, 115 non-emergency transportations, and 2 hospital to hospital emergencies.

The Corps is starting the year 1978 with (10) members, actively taking runs, who have been licensed ambulance attendants for more than one year. There are additionally (15) new members, who have been licensed less than one year, who will be serving during 1978.

We wish to express our appreciation to the people of Rye who responded to our appeal for new members during 1977, they were needed and will be of tremendous service to the town this year. However, this is approximately 62% of a full complement of ambulance attendants. The Corps still needs daytime attendants, especially men. If you can help your family and neighbors this way, it will assure a continuation of this essential service.

The Rye Fire and Police Departments have, as usual, provided the necessary help and assistance that the Ambulance Corps needed to operate effectively.

Respectfully submitted

**HAROLD N. SLEEPER**

*President*

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## **Rye Conservation Commission**

1977 was a year of change in Rye's conservation programs. Passage of the Wetland Zoning Ordinance, at the March town meeting, ended nearly two years of research and planning by this Commission and introduced a new phase in the managing of the town's wetlands. During the past year, this Commission has held three public hearings on dredge and fill applications, conducted 17 on-site inspections of development proposals involving wetlands,

and participated in two coastal zone management hearings. We also assisted State and Federal agencies in: (1) an inventory of non-point pollution sources for the Water Resources Board, (2) identification of beach erosions sites for the Coastal Zone Management Office, and (3) identification of possible socio-economic impacts of Rye Harbor dredging for the US Army Corps of Engineers. Wetland maps were prepared for all town agencies, and a special mapping project to identify wetland ownerships was completed during the summer.

Conservation education programs were expanded this year by sending two Junior High School teachers to the week-long conservation camp sponsored by the Society for the Protection of NH Forests; and by developing a tree planting project with the help of the sixth grade science class to replace lost elms with disease resistant trees. Over 200 elms were planted by the students.

Our cooperative elm treatment program, with the town highway department, is now in its second year. Residents having large roadside elms which appear to be unhealthy should contact either the highway agent or the Conservation Commission to see if treatment would be beneficial.

A 5.1 acre tract of marshland was donated to the Commission by Ralph and Helen Brown in December. This brings the total area under Commission management to over 130 acres.

Communication continues to be one of our major problems. However, during the past several months, our work has been simplified by the sharing of agendas and minutes between this Commission, the Planning Board, and the Board of Adjustment. Also, in December, the first of what will hopefully be a series of joint meetings was held in Rye with other seacoast area conservation commissions to discuss mutual problems and shared conservation opportunities.

As our community continues to grow, environmental conservation increasingly becomes everybody's responsi-

bility—the Conservation Commission cannot operate effectively without your involvement. Call on us, or bring your concerns to our meetings which are held on the second Wednesday of each month at the Town Library.

Respectfully submitted

WILBUR F. LaPAGE

*Chairman*

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## Mosquito Report

The Rye Mosquito Control Commission program in 1977 was in its first full year under a coordinated abatement program. Through the efforts of our supervisor, work crew, and the newly purchased equipment, a positive step was made in combating our mosquito problem.

Three new larviciding techniques were employed by the Commission during the past summer. The use of new stainless steel backpack sprayers and the granular form of abate allowed for improved and more effective larviciding. The third and most important larviciding method employed, in conjunction with three neighboring seacoast communities, was the aerial application of insecticide by helicopter. Although a lower kill than anticipated was achieved in this one spraying, plans are being made to upgrade our monitoring system and to again try this technique in 1978.

Our present truck, of 1952 vintage, after serving the town well, will be retired due to its unsafe condition. A newer truck used in our daytime larviciding and night adulticiding is a necessary part of our future program. Therefore, a dependable truck is a high priority for the coming year.

The current CETA program was thoroughly investigated and Rye took advantage of their monitoring service using three light traps checked five days a week both morning and evening.

Since chemical control, which is temporary and costly, does nothing to eliminate the source of our problem, a salt marsh management plan coordinated with ecologists, biologists, and engineering expertise will be our main goal in 1978.

Our chairman, Pat Latham, resigned in November. It was through her efforts that our Commission was formed. Her work at town, county, and state levels helped build our foundations. She will be missed.

Respectfully submitted

NANCY L. BOWEN

JEFFREY A. QUINN

*Mosquito Control Commission*

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## **Dog Officer's Report**

Another year has passed and it's time for another yearly report. The dog problem still exists with this past year showing increases in about every category of the report.

The biggest problem is still during the summer months when the dog population increased with summer people moving in and people coming from all over to the beaches during the day. 43% of the written warnings given this past year was to people coming to the beaches during the summer. There is no way to stop this either, because under our beach ordinance, they have to be given a written warning first before a court appearance can be given. About 5% of these are repeats.

This year the cost of licensing your dog has gone up under the new state law. Males - \$6.00; Females - \$6.50. Neutered Males and Spayed Females \$3.50. All dogs are to be licensed by May 1st with a charge of \$1.00 per month after June 1st. All dogs will have their License Tag and Rabie Tag on their collars, if picked up, they will be im-

pounded and not released until proof of rabie shot and licensing is shown. So to save a Kennel Bill and a possible court fine get the tags on the dog.

	1977	1976
No. of Complaints	206	187
Verbal Warnings	37	32
Written Warnings	95	76
Court Cases	37	21
Cruelty of Animals	0	0
Dogs Missing (Rye & Area Town)	55	63
Dogs Returned	40	54
Dogs Impounded	83	63
Dogs Released	68	54
Homes Found	8	5
Dogs Killed on Highways	5	7
Dogs Hit not Killed	7	5
Dog Bites Reported	7	8
Dogs Destroyed	7	4
Dogs Licensed	579	560
Damage by Dogs	2	1 Kennel
Miscellaneous	13	19

Respectfully submitted

FRANK WARGO

*Rye Dog Officer*

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## Library Report

This year the Cub Scouts and lower grade school classes have toured the library to help them become familiar in the use of the library. Story hours are held on Wednesday mornings for pre-school children. This year in April, Peter Rabbit's birthday was celebrated, and School Art was on display for National Library Week. Different groups and individuals have had exhibits in the library during the year.

Some 200 books from the elementary school were

brought to the library so they might be used during the summer.

The Garden Club participated in beautifying the grounds, and the Boy Scouts raked the lawns in the fall. The Trustees have provided for an on-going program of lawn care. A university student interested in library work was employed for the summer.

The Librarians and Trustees have attended the usual area meetings this year. Peg Leach accepted the certificate of recognition to the library, for meeting qualifications standards under State Wide Library Program.

Two new stacks for books were added and the books were re-arranged, making enough space for the immediate future. A new hand railing was installed along the drive to the side entrance. We hope that people using the Conference Room will find this helpful during the winter months.

The Friends of the Library suggested to the Trustees, that the east basement room be converted into a Children's Room, and this is in the planning stage. The Friends decorated the library for Christmas, and gave a retirement party for Peg Leach on December 18th with an open house at the library from 2 - 4 p.m. where friends and townspeople came to wish her well in her retirement. The Trustees appreciate the years of dedicated service given by Peg. She has initiated new services and guided the general growth of the library.

When Peg tendered her resignation as of January 1, 1978 the position was advertised in the local paper, and Bette Owens of Portsmouth Avenue, Greenland, was chosen to be the new Librarian from the many applicants.

Respectfully submitted

JEAN S. ILSLEY

LOUISE TALLMAN

HARRY TREFETHEN

*Trustees*

## Librarian's Report

### Library Trustees:

Jean Ilsley	Term Expires 1978
Louise Tallman	Term Expires 1979
Harry Trefethen	Term Expires 1980

### Library Staff:

Librarian: Marguerite Leach
Assistant Librarian: Lorraine Cameron
Assistant: Helen Philbrick
Assistant: Theodosia Wyatt
Assistant: Marjorie Little

### Library Hours:

Monday	10 a.m. - 8 p.m.
Tuesday	1 p.m. - 6 p.m.
Wednesday	10 a.m. - 6 p.m.
Thursday	1 p.m. - 8 p.m.
Friday	10 a.m. - 6 p.m.
Saturday	10 a.m. - 1 p.m.

Books on Accession 12/31/76	16,798
Aquisitions (purchases & gifts)	980

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17,778

Weeded	674
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17,104

### Other Media:

Magazines (subscriptions & gifts)	60
Records	400
Prints	41
Films	7
Film Strips	27
Slides	250

### Circulation Report:

Adult Fiction	17,084
Adult Non-fiction	7,790



Juvenile	8,833
Magazines	3,053
Prints	171
Records, FS, F	622
	<hr/>
	37,553
Borrowed from Bookmobile:	668
Borrowed from State:	98
Number of Registered Borrowers	2,262

Respectfully submitted,  
MARGARET LEACH  
*Librarian*

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## Report of Cemetery Trustees

Each year the Cemetery Trustees are called upon to make some observance of the conditions in the Cemetery.

This year we have been bothered more than ever by thoughtless people throwing stones and broken pavement onto the lawns. Most of this is done on the roadside. This means that the men must walk this area hunting for stones that may heavily damage or even ruin the cutting reels. This type of machine does a much better job of mowing, but can be easily damaged.

One of our machines was completely ruined this summer when a rock caught with such force as to ruin the cutting reels and break off the main castings of the machine.

This means a new machine must be purchased for this year or there is no way of keeping up the good looks of the cemetery lawns.

With inflationary rates climbing much faster than the interest rates on the Trust Funds, it is easy to see what a hole this is going to make. We are asking everyone to be more careful about throwing stones on the lawns.

As in the past, we have tried to make some improve-

ment on the grounds and hope the entire area from the center to the main driveway may sometime become a beautiful piece of landscape.

#### FINANCIAL REPORT 1977

Cash on hand 1/1/77	\$ 843.58
Care of lots	102.00
Burials	4,610.00
Trust Funds	10,100.00
	<hr/>
	\$ 15,655.18
Labor expenditures	15,102.18
	<hr/>
Balance on hand 12/31/77	\$ 553.40

#### SALE OF LOTS — 1977

Mabel Barclay	\$ 50.00
Elizabeth K. Gray	100.00
Walter Dockham	300.00
Allen & Nina Cushing	200.00
Nicholas Kotsanis	400.00
Mrs. Keith Hinrichsen	50.00
Joseph V. Sears	400.00
Alan Abrams	400.00
Frederick B. LePage	100.00
Madeleine W. Banks	50.00
Paul F. Davis	200.00
Ellen Hanscom	50.00
	<hr/>
	\$ 2,300.00

Respectfully submitted,

CHARLES B. GORDON

*Clerk*

## **Report of Trustees of Trust Funds**

The Library Trust Funds produced income of \$3,391.99, which was turned over to the Rye Public Library Trustees for the purchase of books.

We wish to acknowledge two gifts which were added to the Shirley S. and Helen F. Philbrick Fund. Ruth P. Jenkins gave \$100.00. Another gift of \$1,000.00 was received from Mr. E. Angus Powell of 1005 Sycamore Square, Midlothian, Virginia. The balance of this fund is now \$3,000.00.

A total of fifteen new perpetual care funds with a value of \$3,150.00 were added to the Cemetery Funds. Receipts of \$2,250.00 for the sale of cemetery lots, were turned over to the Town Treasurer.

The Dalton Fund produced income of \$6,609.69 to be used for the care and beautification of Rye Central Cemetery. The largest expenditure charged to this fund, \$1,104.00, was paid to Abbott Tree Service. This was for care of the trees located within the cemetery. A new water line was installed and the bill of \$1,009.96 was paid to Rye Water District.

At last year's town meeting it was voted to eliminate the Rye School District Capital Reserve Fund. The balance of \$178.25 was paid to the Rye School District.

The Town added \$4,000.00 to the Town of Rye Capital Reserve Fund for the future purchase of a new fire truck

Respectfully submitted,

MELVIN R. LOW  
HARLAN L. GOODWIN  
GEORGE McALPIN

## Trust Funds — Detailed Statements

### PRINCIPAL ACCOUNTS

#### LIBRARY, CEMETERY and MISCELLANEOUS FUNDS

Balance of Principal Jan 1, 1977		\$200,472.59
<i>Additions</i>		
Additions to Library Funds	\$ 1,100.00	
New Perpetual Care Cemetery	3,150.00	
Addition Town Capital Reserve		
Fund (Miscellaneous Funds)	4,000.00	
		<hr/> 8,250.00
<i>Deductions</i>		
Loss on Sale Stock (Cemetery)		
Public Service of N. H.	\$ 1,197.00	
Paid to Rye School Dist.		
(Capital Reserve)	100.00	
		<hr/> —1,297.00
Balance of Principal 12/31/77		<hr/> \$207,425.59

### PRINCIPAL ACCOUNT DALTON FUND

Balance of Principal 1/1/77	\$ 88,882.14
<i>Additions</i>	
Gain on Sale Stock—Public	
Service of N H.	1,727.35
	<hr/>
Balance of Principal 12/31/77	\$ 90,609.49

### INCOME ACCOUNTS

#### LIBRARY, CEMETERY and MISCELLANEOUS FUNDS

Balance of Income 1/1/77	\$ 27,163.02
<i>Income</i>	
Library Funds	\$ 3,391.99
Cemetery Funds	8,099.40

Miscellaneous Funds	2,062.91	
		\$ 13,554.30
<i>Expenditures</i>		
Library Trustees	\$ 3,391.99	
Cemetery Payroll	7,500.00	
Other Cemetery Expenses	1,238.95	
Rye School Dist. (Miscellaneous)	78.25	
Rye Conservation Commission	90.00	
Miscellaneous Fund		\$ 12,299.19
Balance Income Accounts 12/31/77		\$ 28,418.13
INCOME ACCOUNT — DALTON FUND		
Balance of Income Jan. 1, 1977		\$ 13,401.60
Income 1977		6,609.69
Expenses		
Cemetery Payroll	\$ 2,600.00	
Abbott Tree Service	1,104.00	
Rye Water Dist.	1,009.96	
The Clapper Co.	103.85	
Other Expenses	92.88	
		4,910.69
Balance of Income 12/31/77		\$ 15,100.00

# Report of the Trust Funds of the Town of Rye, N. H., December 31, 1977

## LIBRARY FUNDS

Date	No.	Name of Fund	Principal	Income Paid To Trustees	Percent Ownership
Feb. 3, 1912	1.	Benjamin F. Webster	\$ 882.45	\$ 46.00	1.34%
Nov. 11, 1916	2.	James H. Locke	882.45	46.00	1.34%
Aug. 21, 1909	3.	J. Disco Jenness	363.20	18.88	.55%
Aug. 21, 1921	4.	James McEwen Drake	7,973.29	412.75	12.05%
July 7, 1917	5.	Mary Tuck Rand Memorial	322.45	16.82	.49%
Oct. 27, 1922	6.	Ralph T. Marden	161.15	8.24	.24%
July 6, 1925	7.	Dr. John Parsons	790.08	40.84	1.19%
Nov. 27, 1927	8.	Susan A. Goss	790.08	40.84	1.19%
Jan. 31, 1933	9.	Oliver Perry Garland	790.08	40.84	1.19%
Jan. 22, 1941	10.	Forrest Clinton Varrell	1,564.63	81.09	2.36%
Dec. 17, 1941	11.	Lizzie B. Philbrick	372.16	19.56	.57%
Jan. 2, 1949	12.	Gertrude P. Hill	4,709.73	244.37	7.12%
Oct. 7, 1949	13.	Eliza Parsons Marden	5,368.34	278.40	8.11%
Dec. 28, 1949	14.	William J. Cater	790.08	41.20	1.20%
Apr. 31, 1958	15.	Ralph Walker	1,564.60	81.36	2.37%
Sept. 20, 1960	16.	Mary Isabel Hook	1,564.60	81.36	2.37%
May 23, 1961	17.	John L. & Blanche G. Parsons	1,178.00	61.10	1.78%
May 23, 1961	18.	Gilman M. & Maybelle Louge	12,081.34	626.86	18.26%
May 5, 1972	19.	Martha Dudley Fund	21,006.84	1,089.97	31.75%
May 11, 1971	20.	Shirley S. & Helen F. Philbrick	3,000.00	115.51	4.53%
			<hr/>	<hr/>	<hr/>
			\$ 66,155.55	\$ 3,391.99	100.00%

# Trust Funds, Town of Rye, N. H., December 31, 1977

## CONSOLIDATED STATEMENT

	Principal	Additions or Decreases	Balance of Principal	Income Balance	Income 1977	Expended 1977	Bal. Prin. 12-31-77
Library Funds	\$65,055.55	\$ 1,100.00	\$ 66,155.55		\$ 3,391.99	\$ 3,391.99	
Miscellaneous Funds	33,070.14	3,900.00	36,970.14	\$ 4,876.69	2,0662.91	168.25	\$ 6,771.35
Cemetery Funds	102,346.90	3,150.00 —1,197.00	104,299.90	22,286.33	8,099.40	8,738.95	21,646.78
Dalton Funds	88,882.14	*1,727.35	90,609.49	13,401.60	6,609.69	4,910.69	15,100.60
Total Funds	\$289,354.73	\$ 8,680.35	\$298,035.08	\$ 40,564.62	\$ 20,163.99	\$ 17,209.88	\$ 43,518.73

## New Cemetery Funds Received - 1977

	Perpetual Care	Sale Lot
Leita L. & Harry E. Odione	\$ 200.00	
Walter & Jane Dockham	300.00	\$ 300.00
Mabel Barclay	50.00	50.00
Charles & Elizabeth Gray	100.00	100.00
Nick & Agnes M. Nola	100.00	
Allan A. & Nina G. Cushing	200.00	200.00
George L. Foster	200.00	
Keith H. & Janet E. Hinrichsen	50.00	50.00
Beatrice S. French	400.00	
Nicholas & Beatrice L. Kotsonis	400.00	
Joseph V. Sears	400.00	400.00
Frederick B. & Marjorie E. LePage	100.00	400.00
Alan B. Abrams	400.00	100.00
Mabeline W. Banks	50.00	400.00
Paul F. & Germaine Davis	200.00	50.00
		200.00
	<hr/> \$ 3,150.00	<hr/> \$ 2,250.00



# Trust Funds, Town of Rye, N. H., December 31, 1977

## MISCELLANEOUS FUNDS

Date	Name of Fund	Principal	Additions or Reductions	Balance Principal	Income 1-1-77	Bal. Income 12-31-77
Dec. 25, 1856	Daniel Austin Fund	\$ 100.00		100.00	957.37	57.80
May 27, 1965	Rye School Capital Reserve Fund	100.00	—100.00		75.12	3.13
Dec. 19, 1965	Town of Rye Capital Reserve Fund	9,031.46	4,000.00	13,031.46	496.59	496.59
Sept. 1, 1966	Rye Recreation Fund	813.75		813.75	298.55	57.00
Nov. 1, 1966	Rye Beach Capital Reserve Fund	6,200.00		6,200.00	637.67	373.83
Jan. 20, 1967	Rye Recreation Swimming Pool Fund	500.00		500.00	301.77	41.07
Aug. 1, 1970	Rye Recreation All Purpose Court	203.93		203.93	11.18	11.82
Oct. 17, 1971	Rye Conservation Commission	16,121.00		16,121.00	2,595.03	1,021.67
Totals		\$ 33,070.14	3,900.00	36,970.14	4,876.69	2,026.91
					168.25	3,526.70
						6,771.35

## **Auditor's Report**

Board of Selectmen

Town of Rye, New Hampshire

I have examined the balance sheets of the various funds of the Town of Rye as of December 31, 1976 and 1975 and the related statements of operations for the year ended December 31, 1976. My examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures as I considered necessary in the circumstances.

In my opinion, the aforementioned financial statements present fairly the financial position of the various funds of the Town of Rye as of December 31, 1976 and 1975 and the results of operations of such funds for the year ended December 31, 1976, in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding year.

The accompanying supplemental schedules presented are not necessary for a fair presentation of the financial statements, but are presented as additional analytical data. This information has been subjected to the tests and other auditing procedures applied in the examination of the financial statements mentioned above and in my opinion, is fairly stated in all material respects in relation to the financial statements taken as a whole.

CUSHMAN S. COLBY

Hampton, New Hampshire

March 4, 1977

Exhibit I

# Balance Sheet

## December 31, 1976 and 1975

### ASSETS

	1976	1975
<b>CASH:</b>		
General fund accounts	\$624,073.99	\$364,163.10
Revenue sharing account	30,456.48	40,339.32
	<hr/> \$654,530.47	<hr/> \$404,502.42
<b>UNREDEEMED TAXES:</b>		
Levy of 1975	\$ 27,120.23	\$
Levy of 1974	5,881.67	35,980.66
Levy of 1973		9,799.50
	<hr/> \$ 33,001.90	<hr/> \$ 45,780.16
<b>UNCOLLECTED TAXES:</b>		
Levy of 1976—Property	\$125,492.55	\$
Levy of 1976—Resident	3,580.00	
Levy of 1976—National Bank Stock	18.21	
Levy of 1975—Property	582.82	152,085.68
Levy of 1975—Resident	150.00	5,290.00
Levy of 1975—National Bank Stock		90.60
Levy of 1974—Property	674.00	1,197.00
Levy of 1974—Resident	50.00	750.00
Levy of 1973—Property	409.00	633.99
Levy of 1973—Resident		180.00
Levy of 1972—Property	288.76	456.77
	<hr/> \$131,245.34	<hr/> \$160,684.04
<b>CAPITAL RESERVE FUNDS:</b>		
Fire equipment fund	\$ 9,031.46	\$ 32,380.79
Conservation fund	18,716.03	17,289.79
	<hr/> \$ 27,747.49	<hr/> \$ 49,670.58
<b>TOTAL ASSETS</b>	<hr/> \$846,525.20	<hr/> \$660,637.20

# Balance Sheet

## December 31, 1976 and 1975

### LIABILITIES, RESERVES AND FUND BALANCE

	1976	1975
<b>LIABILITIES:</b>		
Lease/purchase payments due	\$	\$ 895.66
Payroll taxes payable		61.49
Due to trust funds		50.00
Due to State of New Hampshire—2% bond and debt retirement tax		47.04
	<hr/> \$	<hr/> \$ 1,054.19
<b>ENCUMBRANCES OUTSTANDING:</b>		
Unexpended balances of appropriations	\$ 25,867.00	\$ 54,673.52
Taxes due to school district	657,808.82	462,760.02
Taxes due to precincts		7,561.97
	<hr/> \$683,675.82	<hr/> \$524,995.51
<b>UNEXPENDED REVENUE SHARING FUNDS</b>	<hr/> \$ 30,456.48	<hr/> \$ 28,339.32
<b>CAPITAL RESERVE FUNDS:</b>		
Fire equipment fund	\$ 9,031.46	\$ 32,380.79
Conservation fund	18,716.03	17,289.79
	<hr/> \$ 27,747.49	<hr/> \$ 49,670.58
<b>FUND BALANCE</b>	<hr/> \$104,645.41	<hr/> \$ 56,577.60
<b>TOTAL LIABILITIES, RESERVES AND FUND BALANCE</b>	<hr/> \$846,525.20	<hr/> \$660,637.20
	<hr/>	<hr/>

The accompanying note is an integral part of these financial statements.

ANALYSIS OF CHANGES IN FUND BALANCE FOR THE YEAR ENDED DECEMBER 31, 1976	
FUND BALANCE, JANUARY 1, 1976	\$ 56,577.60
ADD:	
Encumbrances outstanding	
December 31, 1975	524,995.51
Revenues	1,886,355.10
	<hr/>
	\$ 2,467,928.21
<hr/>	
LESS:	
Expenditures	\$ 1,679,606.98
Encumbrances outstanding	
December 31, 1976	683,675.82
	<hr/>
	\$ 2,363,282.80
	<hr/>
FUND BALANCE, DECEMBER 31, 1976	\$ 104,645.41
	<hr/>

## Note to Financial Statements

DECEMBER 31, 1976

### SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES —

The accounting policies of the Town of Rye conform to generally accepted accounting principles as applicable to governmental units. The following is a summary of the significant policies.

### BASIS OF ACCOUNTING —

The modified accrual basis of accounting is followed by all funds. Modifications to the accrual basis consist generally of:

1. Revenues are recorded as received in cash except for:
  - (a) revenues susceptible to accrual and

- (b) material revenues that are not received at the normal time of receipt.
- 2. Expenditures are recorded on an accrual basis except for:
  - (a) disbursements for inventory type items, which may be considered expenditures at the time of purchase;
  - (b) prepaid expenses, which normally are not recorded;
  - (c) interest on long-term debt, which should normally be an expenditure when due; and
  - (d) the encumbrance method of accounting.

#### COMBINED BALANCE SHEET —

The balance sheet of the Town of Rye consists of the general fund and all “reserves” thereto. Special funds established from, and remaining under the custody of, the general fund are appropriately considered “reserves” of the general fund.

#### GENERAL FIXED ASSETS —

General fixed assets purchased are recorded as expenditures in the general fund or appropriate special fund at the time of purchase. No depreciation has been provided on general fixed assets.

#### GENERAL LONG-TERM INDEBTEDNESS —

In recording long-term debt, the Town of Rye conforms with guidelines set forth in the National Committee on Governmental Accounting publication Governmental Accounting, Auditing and Financial Reporting (GAAFR). The GAAFR principle, which is a component of generally accepted accounting principles, requires that general obligation bonds and other forms of long-term debt supported by general revenues are obligations of the Town as a whole and not its individual constituent funds. Therefore, such long-term liabilities should not be carried as specific liabilities of any fund, but should be set up in a separate financial statement of the Town.

## Rye Recreation Commission

The summer recreation program for Rye youth, new playground equipment, and plans for tree clearing in the Recreation Area were the main subjects given attention by the Rye Recreation Commission in 1977. The summer program ran from July 5 through August 26 and was under the direction of Cynthia Small of Gardiner, Maine. Program assistants were Alison Lapage of Rye who was responsible for arts and crafts, and Donald Levesque, a work-study student from UNH, who supervised the sports activities. Several field trips were taken by the children including one to Fenway Park on a scorching July 21. Other trips were made to Odiorne's Point, Pawtuckaway State Park, and Canobie Lake.

Special activities were available to summer program participants thanks to the generous support of local residents. They included puppetry under the direction of Jessie Herlihy, tennis instruction by our sports director at the home of Mr. and Mrs. Frank Drake, and Red Cross swimming classes at the home of Mr. and Mrs. Ralph Morang taught by program director Cynthia Small.

Next year will bring some improvements in the Recreation Area as a contract has been signed with Christopher Clews of Portsmouth for the construction of a large piece of wooden playground equipment called a "Fantasy Ship." In addition, federal Comprehensive Employment Training Act (CETA) funds have been made available to the town of Rye for a clearing project in the Recreation Area. Tentative plans call for rough clearing of a four-acre area by men hired with CETA funds, and early construction of an all-purpose playing field for such activities as soccer, football, and baseball.

Respectfully submitted,  
JOSEPH G. MILLS  
*Chairman*

## Fourth of July in Rye

The Town of Rye once again enjoyed a successful 4th of July celebration. The three day celebration included a wide diversity of events ranging from a frog jumping contest sponsored by the Junior Woman's Club, to a delicious supper held under the "big top" sponsored by the Rye Lions Club. Such events were the results of many hours of hard work by a handful of people. They deserve much credit for producing another fine celebration. Needless to say Parsons' Park was where the action was!

The committee was allotted \$1,000 by the Town of Rye of which \$831.82 was spent. It is hoped that the remaining \$168.18 will be used to add two more sections to the outdoor dance floor and to refurbish the present dance floor sections.

We extend our gratitude to the Rye School Board for the use of their athletic equipment and rest room facilities. Special thanks also to the Parsons' Park Corp. without which the celebration would not have been possible.

Respectfully submitted,

PATRICIA L. GOULD

PETER H. GARRITY

*Co-chairman*

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## Historic District Commission

The Rye Historic District Commission, which has control over new buildings and external alterations to existing structures, ruled on very few cases in 1977. Much time was spent writing up the guidelines for the Commission with the help of Southeast Regional Planning Commission.

A proposal to extend the current district, which runs from Grange Park to the monument (500 feet back on either side of Washington Road), will be on the ballot in March 1978. The extension includes Star, White and



Lunging islands of the Isles of Shoals and the Brackett Road massacre site. Future extensions of the district are under consideration.

To give more people in town a voice in how Rye is to grow in the future the commission, in conjunction with the Planning Board, is organizing a Sounding Board of Rye citizens. This group will be a broad cross-section of townspeople that will air their views, research different problems relating to growth and make recommendations to the Planning Board.

The Historic District Commission looks forward to having its guidelines and extensions approved and working further to preserve the integrity of Rye's small town character.

Respectfully submitted,

**ALEX HERLIHY**

*Chairman Rye Historic  
District Commission*

# BIRTHS Registered in the Town of Rye, N. H. for the year ending December 31, 1977

Date of Birth	Place of Birth	Name of Child (if any)	Male or Female		Name of Father	Birthplace of Father	Maiden Name of Mother	Birthplace of Mother
			Male	Female				
Jan. 15	Pease AFB	Eric Charles	M		Guy K. Buesing	N. J.	Liyuen Chin	China
Jan. 16	Portsmouth	Elizabeth Marie	F		Christopher J. Parker	Wash.	Mary E. Withrow	Calif.
Jan. 25	Portsmouth	John Roger	M		Roger G. Carbonneau	N. H.	Lucy A. Hinkebein	Ky.
Jan. 31	Pease AFB	Jennifer Evelyn	F		Peter B. Smyth	England	Evelyn M. Rackliff	Maine
Feb. 7	Exeter	Katie Leigh	F		Lawrence G. Layman	Idaho	Karol L. Welch	Kansas
Feb. 13	Portsmouth	Giancarlo Vittorio	M		Emilio V. Maddaloni	Mass.	Linda H. Williams	Mass.
Feb. 24	Portsmouth	Joshua Curley	M		Norman J. Breault	Mass.	Dorothy F. Barreira	Mass.
Mar. 2	Portsmouth	Michael Major	M		John R. Fegela	Pa.	Elizabeth N. Underhill	N. Y.
Mar. 15	Portsmouth	Kerry Ann	F		John F. Perkins	N. H.	Ruby A. Plourde	Maine
Apr. 1	Pease AF	Crystal Anne	F		John A. Richards	Kansas	Susan M. Fitzgerald	Illinois
Apr. 20	Portsmouth	Taylor Lee	M		Peter F. Phillips	Maine	Victoria M. Chapman	Mass.
Apr. 25	Dover	Kyle Douglas	M		William D. Zechel	Illinois	Nancy A. Pepin	N. H.
Apr. 28	Exeter	Alexander William	M		Gary W. Holmes	Mass.	Patricia A. Crowell	Mass.
Apr. 30	Exeter	Shaine B. Corrigan	M		John F. Murphy	N. Y.	Eileen Murray	N. Y.
May 24	Portsmouth	Steven Patrick	M		Gary W. Ryan	Florida	Barbara J. Landers	Mass.
June 1	Portsmouth	Jay Roman	M		Roman A. Krecklow, Jr	Conn.	Kathryn L. Meager	N. Y.
June 7	Haverhill,	Kathleen O'Toole	F		Roger B. Blouin	Mass.	Maureen K. O'Toole	Mass.
June 19	Portsmouth	William Francis, Jr.	M		William F. Clifford, Sr.	N. H.	Lee J. Chandler	N. H.
July 14	Portsmouth	David Thomas	M		Robert T. Braun	Florida	Gretchen L. Hauser	Illinois
July 15	Portsmouth	Christine Rita	F		Paul A. Foye	N. H.	Monique R. Dube	N. H.
July 15	Portsmouth	Benjamin Eric	M		James F. Piper, Jr.	N. H.	Patricia R. Higgins	N. H.
Aug. 4	Exeter	William James, III	M		William J. Fenlon, Jr.	Mass.	Sandra M. Spaulding	Mass.

# BIRTHS Registered in the Town of Rye, N. H. for the year ending December 31, 1977

Aug. 5	Portsmouth	Jessica Ann	F	Richard S. Tolini	Mass.	Frances Collins	Mass.
Sept. 17	Portsmouth	Joseph Tipton	M	Robert E. Rawding	N. H.	Paula J. Tipton	N. H.
Oct. 13	Pease AFB	Jonathan Dean, II	M	Jonathan D. Friend	Ohio	Beverly J. Potts	Ohio
Oct. 25	Exeter	Mindy Leah	F	Jeffrey M. Ritter	Mass.	Patricia A. Madrigan	Va.
Nov. 9	Portsmouth	Cristin Lynn	F	Curtis L. Richardson	Maine	Cheryl L. Richardson	N. H.
Dec. 19	Portsmouth	Brad Joseph	M	Harold R. Clark	N. H.	Deborah Ann Day	Mass.
Dec. 22	Exeter	Stefanie Krystyne	F	Richard S. Gazda	Mass.	Everette R. Caton	Illinois

# MARRIAGES Registered in the Town of Rye, N. H. for the year ending December 31, 1977

Date of Marriage	Place of Marriage	Name and Surname of Groom and Bride	Date of Birth	Place of Birth	Name of Parents	Name, Residence and Official Station of Persons by Whom Married
Jan. 16	Rye	William J. Fenlon, Jr. Sandra M. Spalding	04-05-43 07-27-53	MA MA	Wm. J. Fenlon, Sr. Laura Poley Prescott Spalding Patricia McLaughlin John Kearney	Thomas S. Allison, Jr. Justice of the Peace Hampton, N.H.
Jan. 8	Portsmouth	George P. Kearney Florence E. Hill	01-08-97 04-03-07	MA MA	Frances Nelson John H. Hill Florence E. Brown	Rev. Thomas Savage R. C. Priest Portsmouth, N.H.
Feb. 5	Portsmouth	Kevin J. Carlsen Lucille A. McMaster	11-17-50 12-07-54	NH NH	Norman F. Carlsen Elizabeth Dixon Samuel A. McMaster Lucille E. Bevard Albert N. Gauthier	Rev. Lawrence Burns R. C. Priest Portsmouth, N.H.
Feb. 11	Manchester	Raymond G. Gauthier Linda Pinkos	12-09-51 02-26-52	NH MA	Yvonne Labounty Robert dePinquertaine Agnes Martinson George E. Carpenter	William B. Soper Pastor Manchester, N.H.
Feb. 14	Rye	Frank O. Carpenter Charlotte C. Brown	04-27-13 09-09-07	VT MA	Annie B. Morrill Kenneth O. Brown Emma J. Parker	Rev. John Golding Clergyman Edgartown, Mass.

# MARRIAGES Registered in the Town of Rye, N. H. for the year ending December 31, 1977

Feb. 21	Rye	Bruce C. Ellis Tanya M. Hoffman	06-15-38 09-21-48	MA MA	Frank Ellis Olga Hagblom Vincent Kehoe Sonia Mazur James Rutherford Edna M. Cruz Robert J. Mills Rita G. Holland John E. Carberry Mildred J. Wilson Richmond Trainor Geraldine Burgon Robert Scammon, Sr. Barbara Doherty Arthur N. Wright Janet Hoyt Theodore J. Kratt Alma R. Gray Elijah W. Moore Sara S. Jones John Anderson Leona Malenuskus Richard Trask Alma Loring Frank Doll — — Grace Cecil Currie — — Grant Leon A. Caudle Leola Lassiter Robert L. Jepson Jane B. Wheeler	Rev. John MacPhee Clergyman Portsmouth, N.H.  Rev. Harold Woodbury Minister Hampton, N.H.  Peter E. O'Donnell Justice of the Peace Portsmouth, N.H.  James D. Nicholls Clergyman Portsmouth, N.H.  D. Jeffrey Dietrich Minister Rye, N.H.  Richard A. Therrien Justice of the Peace Derry, N.H.  Peter E. O'Donnell Justice of the Peace Portsmouth, N.H.  George C. Fisher Clergyman Kingston, N.H.
Feb. 26	Portsmouth	James Rutherford, III Joanne M. Mills	09-13-53 02-04-58	NH NH		
Mar. 5	Portsmouth	John E. Carberry, Jr. Carol D. Grace	06-01-48 11-08-48	NH NH		
Mar. 12	Portsmouth	Robert F. Scammon, Jr. Cindy J. Wright	10-24-56 06-25-57	NH ME		
Mar. 19	Rye	Ronald A. Kratt Sara W. Moore	06-06-42 10-12-48	MI TN		
Apr. 2	Rye	Peter J. Anderson Donna M. Trask	03-18-45 12-06-53	MA MA		
Apr. 30	Portsmouth	Philip A. Doll Annette L. Currie	07-21-25 02-16-54	NH NH		
May 14	New Castle	Richard C. Caudle Pamela E. Jepson	07-13-45 08-08-53	NC CT		

# MARRIAGES Registered in the Town of Rye, N. H. for the year ending December 31, 1977

Date of Marriage	Place of Marriage	Name and Surname of Groom and Bride	Date of Birth	Place of Birth	Name of Parents	Name, Residence and Official Station of Persons by Whom Married
May 15	Rye	Joseph J. Hanish Cathy A. Bessinger	06-08-58 12-06-47	NY NJ	Joseph A. Hanish Anne D. Herrick	Peter E. O'Donnell Justice of the Peace Portsmouth, N.H.
May 21	Portsmouth	John E. Provencher Joan M. Hague	10-06-54 05-07-58	NH NH	Pearl E. Brathwaite Harvey Provencher Alice K. Hayes James J. Hague Nancy M. Amee	Thomas Savage R. C. Priest Portsmouth, N.H.
May 27	Rye	Claude J. James Rolande L. French	04-05-46 03-12-44	ME NH	Jack C. James Genevieve Hodgdon Roland P. Charron Germaine St-Onge	Walter H. Liff Justice of the Peace Rye, N.H.
May 28	Rye	James A. Brewer Donna L. Dodge	04-27-54 04-07-54	PA NH	Paul C. Brewer Desiree Young Richard C. Dodge Beverly Langford Karl F. Merz	John P. Potter Minister Greenland, N.H.
May 30	Rye	Karl A. Merz Janet M. Harkins	10-09-50 03-09-48	MA ME	Mary E. Streeter Robert Mallinson Lizzie M. Hamble	Gordon W. Webb Justice of the Peace Hampton Falls N.H.

# MARRIAGES Registered in the Town of Rye, N. H. for the year ending December 31, 1977

June 18	No. Hampton	James P. Holihan Jacqueline E. Harmon	05-16-11 08-29-24	MA NH	James P. Holihan Mary Behan Jack Eldridge Lauriel Spinney Ferris Saad Ann Jewett Howard W. Fales, Jr. Charlotte Haire Elliott Whitney, Jr. Alberta M. Whelden John Q. Gooding Ethel Winston Gerhard W. Leubner Rita M. Tierney Henry A. Fortin Frances F. Follis Billie Barton Oletha Clymer Kenneth Lancaster Letitia Haines Aldo Santarelli Alice Fantini Milton Carlisle Linda Turci Malcolm C. Heath, Jr. Vivian A. Nelson Gary K. Thomas Anita E. Bossong Edwin L. Clark Mary Kabrick Joseph A. Vozella, Jr. Patricia L. Stimpson	Herbert N. Lovemore Minister Hampton, N.H.  S. E. Lindley Pastor No. Hampton, N.H.  D. Jeffrey Dietrich Pastor Rye, N.H.  Wilfred C. Files R. C. Priest Hampton, N.H.  D. Jeffrey Dietrich Pastor Rye, N.H.  Rocco Memlo R. C. Priest Exeter, N.H.  Melvin R. Wilson Chaplain, USAF Pease AFB, N.H.  George J. Soberick R. C. Priest Manchester, N.H.
June 18	Hampton	Alan J. Saad Carol L. Fales	04-10-52 07-12-56	NH NH		
June 18	Rye	Elliott W. Whitney, III Dorothy Q. Gooding	11-23-47 11-07-52	NH MA		
June 25	Rye	Richard J. Leubner Linda E. Fortin	07-25-52 04-09-55	NY NH		
July 1	Rye	Rex L. Barton Cynthia H. Lancaster	01-03-53 05-30-58	FL NH		
July 17	Exeter	Kenneth H. Santarelli Judith A. Carlisle	12-03-42 04-27-48	MA NH		
July 23	Portsmouth	Ronald C. Heath Kristin L. Thomas	09-25-55 10-18-58	CA CA		
Aug. 6	Portsmouth	Kevin E. Clark Roseann Vozella	07-04-56 06-30-56	NH NH		

# MARRIAGES Registered in the Town of Rye, N. H. for the year ending December 31, 1977

Date of Marriage	Place of Marriage	Name and Surname of Groom and Bride	Date of Birth	Place of Birth	Name of Parents	Name, Residence and Official Station of Persons by Whom Married
Aug. 6	Jaffrey Ctr.	Branch S. Sanders Susan M. Currier	02-13-47 11-28-50	NH MA	John H. Sanders Jane M. Branch David L. Currier Helen L. Miller Frank J. Vieira Margaret Vear Paul Winsor Joan Parsons	Robert D. Branch Justice of the Peace Concord, N.H.
Aug. 13	Rye Beach	Robert F. Vieira Diane R. Winsor	07-22-57 03-29-56	NH MA	Windsor P. Hollis Jean M. Freygang Gerald J. Brown Mildred Bourgeault Duane G. Meyer Marilyn Y. Hanson Alfred Naman Jean Maloof	Rocco Memdo R. C. Priest Exeter, N.H.
Aug. 20	Rye Beach	Peter W. Hollis Ellen C. Brown	04-17-52 03-26-52	MA NY	Peter J. Morahan Iris Postlethwaite Francis R. Case Teresa R. Donoghue	James F. Madison R. C. Priest Rye Beach, N.H.
Aug. 20	Portsmouth	Paul C. Meyer Deborah J. Naman	02-04-53 10-10-52	IA MA	Michael Buben R. C. Priest Lawrence, MA	Robert L. Barry Minister Somersworth, N.H.
Aug. 20	Rye Beach	Kevin H. Morahan Patricia C. Case	08-25-52 08-16-57	NY CA		



# MARRIAGES Registered in the Town of Rye, N. H. for the year ending December 31, 1977

Aug. 20	Portsmouth	Richard A. Mundy Joan E. Ferrini	06-22-51 10-09-54	NH NH	Alfred F. Mundy Ethel F. Crouch Azio J. Ferrini Geraldine A. Grace Joseph R. Donnelly Margaret M. Tiernan David P. McBride Jeanne J. Callahan Charles E. Jefferson Barbara A. Isherwood Philip D. Phelps Elizabeth Fitzgerald Louis H. Morin Virginia Levesque Ernest E. Clark Susan S. Sawyer James S. Mansfield Sarah C. Lawton John M. Kolbjornsen Margaret E. Haertel Caleb L. Hodsdon Nancy Badger Thomas H. Collins Rosemary Dobson Morris Lamprey Gertrude Dow Edwin E. Carpenter Barbara Pearsons Nelson Walker Priscilla Cornwell Arthur F. Tole Rita Tole	Thomas Savage R. C. Priest Portsmouth, N.H.  Edward Flanagan R. C. Priest Rye Beach, N.H.  Franklin A. Beaver Clergyman Madison, CT  Herbert N. Lovemore Minister Hampton, N.H.  Peter M. Mercer Minister Bangor, ME  Allan E. Roche R. C. Priest Methuen, MA  Edward A. Harrison Justice of the Peace Rye, N.H.  George J. Soberick R. C. Priest Manchester, N.H.
Aug. 27	Rye Beach	John E. Donnelly Terral M. McBride	08-03-53 09-16-50	NY PA		
Aug. 27	New Castle	Steven B. Jefferson Elizabeth A. Phelps	08-24-53 03-29-55	MA MA		
Aug. 27	Rye	Thomas A. Morin Susan M. Clark	09-29-53 05-05-55	NH NH		
Sept. 4	Rye	Thomas C. Mansfield Susan E. Kolbjornsen	12-25-50 07-26-50	MA Den.		
Sept. 10	Rye	Caleb T. Hodsdon Anne M. Collins	10-15-44 08-11-53	ME MA		
Sept. 16	Newmarket	Charles A. Lamprey Sally L. Carpenter	09-20-35 08-17-37	NH NH		
Sept. 17	Rye	David N. Walker Kathleen Tole	02-21-52 10-08-57	NH MA		

# MARRIAGES Registered in the Town of Rye, N. H. for the year ending December 31, 1977

Date of Marriage	Place of Marriage	Name and Surname of Groom and Bride	Date of Birth	Place of Birth	Name of Parents	Name, Residence and Official Station of Persons by Whom Married
Sept. 18	Rye	Gary S. Colby Janice M. Connery	02-02-54 02-02-55	MA MA	Cushman Colby Marjorie Ring John Connery Mary O'Connell Glenn A. Yates	T. J. O'Malley R. C. Priest Chestnut Hill, MA
Sept. 21	Rye	Ronald G. Yates Joni B. Fry	06-03-55 02-12-58	Ger. TN	Hildagard Arnheim Robert D. Fry Martha Pinnkerton William J. Hathaway	Edward A. Harrison Justice of the Peace Rye, N.H.
Sept. 24	Portsmouth	Don W. Hathaway Brenda M. Stanley	05-26-53 11-29-53	VA NH	Doris Brown Clarence Owen Edith J. John Victor Thomas	Peter L. Miller Pastor Portsmouth, N.H.
Sept. 24	Rye	Richard H. Thomas Susan M. Monahan	10-16-55 08-19-56	NH NJ	Juanita Howard Timothy Monahan Barbara Doremus William L. G. Moy	D. Jeffrey Dietrich Minister Rye, N.H.
Oct. 10	Portsmouth	Martin K. Moy Priscilla Powell	09-03-17 07-07-25	MA NH	Rose Lee Harold L. Burnham Dorothy M. Mills Richard E. Dill	George W. Monroe Epis. Priest Portsmouth, N.H.
Oct. 15	No. Hampton	Charlton R. Dill Lisa J. Holzworth	04-01-56 06-06-56	NH NH	Claire Hebard Robert G. Holzworth Mae Murray	Wm. A. McConnell Minister No. Hampton, N.H.

# MARRIAGES Registered in the Town of Rye, N. H. for the year ending December 31, 1977

Oct. 22	Rye	Douglas H. King Cheryl L. LaPointe	02-11-52 10-03-49	ME NH	William E. King Theresa Charland Richard C. Staples Evelyn L. Stewart	Edward R. Woicak Justice of the Peace Rye, N.H.
Oct. 23	Portsmouth	John J. Foley, Jr. Diane Melville	01-29-52 04-26-48	NH NH	John J. Foley, Sr. Eileen Dondero Bruce Melville Elsie Christstrom Peter A. St.Pierre	George J. Soberick R. C. Priest Manchester, N.H.
Nov. 5	Westbrook, Maine	Raymond E. St.Pierre Evelyn L. Norton	05-30-47 02-26-50	ME ME	Ellwyn Ahearn Owen Norton Mary Herbert David H. Coombs Gertrude Samluk Karl W. Niemi Barbara Castner Fred L. Brown	Harold L. Shepard Minister Westbrook, ME
Nov. 11	Rye	James H. Coombs Celia S. Neimi	01-05-59 06-02-58	NY ME	Maureen L. Thibodeau Louis H. Bowmar Miriam F. Bolding Earl R. Elsea	Walter H. Ljff Justice of the Peace Rye, N.H.
Nov. 12	Portsmouth	William F. Brown Teri Jo Bowmar	10-17-58 03-19-58	NH TX	Esther J. Foss Herbert W. Colgate Margaret E. Walker William F. Zechel Herene Zibolsky Archie M. Slawsky Ethel Rotberg	David P. Morley Asst. Pastor Portsmouth, N.H.
Nov. 19	Rye	Earl R. Elsea Kathleen S. Colgate	06-09-48 10-06-57	NH NH	Ralph H. Sparks Phyllis C. LeFort Roy Blackmer Martha Veino	Edward A. Harrison Justice of the Peace Rye, N.H.
Dec. 14	Nashua	William W. Zechel Karen J. Slawsky	03-08-26 08-12-43	IL NH	Aaron Harkaway Justice of the Peace Nashua, N.H.	Aaron Harkaway Justice of the Peace Nashua, N.H.
Dec. 24	Portsmouth	Douglas N. Sparks Sharon A. Blackmer	06-21-49 04-17-52	MA NH		Evelyn L. Hanscom Justice of the Peace Portsmouth

DEATHS Registered in the Town of Rye, N. H. for the year ending December 31, 1977

Date of Death	Name and Surname of Deceased	Years	Place of Birth	Male	Female	Condition	Name of Father	Maiden Name of Mother
Jan. 12	Paul Allen Hewes	83	Mass.	X		M	Edward L. Hewes	Edith Allen
Jan. 13	Bertram H. Martenson	70	N.H.	X		M	Harkin Martenson	Sarah P. Trefethen
Jan. 15	Leona Libbey	86	N.H.		X	S	Albert F. Libbey	Martha J. Johnson
Jan. 17	Mary Watson	90	N.H.		X	W	Charles M. Remick	Emily Brown
Jan. 24	Ralph E. Chick	72	N.H.	X		D	Everett E. Chick	Annie Blake
Jan. 25	Gertrude Penny Powers	61	N.H.		X	W	Asa C. Craig	Alice A. Reinald
Jan. 28	Blanche G. Parsons	78	Mass.		X	M	Thomas O. Gilliatt	Joanna Gladwin
Jan. 29	Lena J. Eldridge	90	N.Y.		X	W	Frank Frayherr	Frances Hoenthal
Feb. 2	Benjamin F. Peek	81	Mass.	X		M	Walter S. Peek	Mary B. Schiele
Feb. 7	Keith H. Kinrichsen	40	Ill.	X		M	Henry R. Hinrichsen	Betty M. George
Feb. 7	Rose E. Crepeau	88	Mass.		X	W	Cyrille Feisy	Mary Landat
Feb. 7	Marion E. Thomas	60	N.H.		X	M	Fred Ray	Etta Bennett
Feb. 22	Elsie Kalenian	77	Armenia		X	W	Maderos Gavorian	Marian Menzoian
Mar. 4	Henry W. Gray, Sr.	77	Mass.	X		M	Henry W. Gray	Edith Bacon
Mar. 5	Edith M. Barr	90	N.H.		X	W	Lewis E. Davis	Georgia Willey
Mar. 6	David Alan Dockham	21	N.H.	X		S	Walter E. Dockham, Jr.	Jane Morrison
Mar. 11	Ray Anne Adams Horne	25	Ill.		X	S	Frederick H. Horne	Janice B. Byam
Mar. 19	Kenneth Earl Gaucher	49	Maine	X		M	Philip Gaucher	Albina Murphy
Mar. 19	Roberta E. Peek	48	N.H.		X	M	Simson J. Brown	Flora Perkins
Apr. 25	Charles Edward Moody	58	N.H.	X		M	Sherman P. Moody	Catherine E. Morrison
May 1	Ada M. Geringswald	74	N.Y.		X	W	Anthony Manfredi	Elvira Tedeschi
May 4	Florence M. Beasley	82	Maine		X	W	William Parker	Elizabeth Staples
May 5	Edward J. Neville	68	N.H.	X		M	Edward Neville	Bridget McCarthy
May 15	Richard M. Janvrin	76	N.H.	X		W	Bertram T. Janvrin	Mary Brown

DEATHS Registered in the Town of Rye, N. H. for the year ending December 31, 1977

May 26	Frank B. Robinson	91	Mass.	X	X	Walter B. Robinson	Clara Billings
June 4	Robert H. Garritt	84	Mass.	X	X	Walter G. Garritt	Polly Hall
June 9	Dorothy L. Meader	58	N.H.			Howard Robinson	—
July 9	Hazel Pearl Berry	77	Ill.		X	Frank Wilson	Eva Belle Herron
July 9	Ralph H. Rand	88	N.H.		X	Frank Rand	Florence Marden
July 14	Martha Balch Miles	54	N.H.		X	George C. Trefethen	May Brotherson
July 25	Judith Lee Jakobsen	42	Mass.		X	Joseph R. Nokes	Virginia Blaisdell
Aug. 1	Wilfred D. Baril	55	Mass.	X	X	Wilfrid Baril	Margaret J. English
Aug. 2	Harold Peckham	67	N.H.	X	X	Harry L. Peckham	Nina A. Hennessey
Aug. 7	Elizabeth Born Irwin	79	Ohio		X	Conrad C. Born	Mary Echaradt
Aug. 11	Margaret S. White	82	Mass.		X	— McGowan	—
Aug. 13	Florence Emily Berry	85	Mass.		X	Harry Coleman	Esther —
Aug. 16	Louise Greenwood	81	Mass.		X	Peter Strickland	Ann Laycock
Aug. 22	Marion Rose Nagle	80	Mass.		X	John Picard	Mary Conlin
Aug. 24	Raymond W. Kellenbeck	74	N.H.	X	X	William R. Kellenbeck	Lillie F. Beasley
Aug. 28	Virginia F. Smith	66	N.H.		X	George S. Foster	Elizabeth A. Danforth
Aug. 30	Walter W. Lund	88	Conn.	X	X	John Lund	Hattie Baker
Sept. 1	Charles W. Gray	72	N.H.	X	X	Charles W. Gray	Sarah Roberts
Sept. 3	Gertrude L. Hancock	64	Mass.		X	John R. Hancock	Minnie —
Sept. 18	Dorothy M. Hawes	70	Maine		X	Ronald C. McIlroy	Rena Leadbetter
Sept. 23	Lois Helene Oeser	68	Mass.		X	James E. Milliken	Minnie Mellour
Sept. 15	Alan E. Trachy	24	N.H.		X	Edward A. Trachy	Mary E. Daigneau
Oct. 4	Ellen O'Toole Hurley	88	Mass.		X	—	Ellen Graham
Oct. 9	Germaine C. Davis	49	N.H.		X	Emil J. Labbe	Helen McManus
Oct. 12	Anna Jean South	50	Mass.		X	A. Mason Shattuck	Zelma I. Bickford
Oct. 16	Lena O. Rowe	94	Mass.		X	Frank Morrill	Orrissa Davis
Oct. 19	John W. VanderMeer	78	Mass.	X	X	William VanderMeer	Hinka Buma
Oct. 20	Ernest C. Eaton	82	Mass.	X	X	Fred Eaton	Hattie Hagley
Oct. 21	Madge Hardy Rand	94	Quebec		X	John Hardy	Eva Johnson

DEATHS Registered in the Town of Rye, N. H. for the year ending December 31, 1977

Nov. 1	Anna Erickson	97	Sweden		X	W	Gabriel Anderson	Adolphina Hernstrom
Nov. 6	Alfred Barclay	82	Scotland	X		M	John Barclay	Margaret — —
Nov. 10	Laura L. Caminati	88	Italy		X	W	Giovanni Calisesi	Maria Magnani
Nov. 18	Theodore J. Kundsinn	75	Mass.	X		M	John Kundsinn	Antoinette Pinkul
Nov. 20	Edna Kimball Sears	69	N.H.	X	X	M	Oscar Kimball	Florence Runnells
Nov. 26	Albert Willis Moulton	79	N.H.	X		M	Willis Tupper	Jennie Sawyer
Nov. 29	Arthur B. Hanscom, Jr.	37	N.H.	X		M	Arthur B. Hanscom	Isabelle Barnaby
Nov. 30	Norris Trefethen	80	N.H.	X		M	Herman O. Trefethen	Louise Odion
Dec. 1	Ray C. Webb	68	Maine	X		M	Walter Webb	Gertrude Penny
Dec. 3	Jane Naomie Wilkins	38	Ohio		X	M	Herman Paillet	Dorothy Finklestein
Dec. 6	Jane Hilliard Adams	31	N.H.		X	S	John Papandrew	Betty Hilliard
Dec. 16	Edgar Mitchell Valley	65	N.H.	X		M	William J. Valley	Mantie McLoud

# Reprint of 1977 Town Warrant

## THE STATE OF NEW HAMPSHIRE

(L.S.)

*To the inhabitants of the Town of Rye in the  
County of Rockingham in said State, qualified  
to vote in Town Affairs:*

You are hereby notified to meet at the Town Hall in said Rye on Tuesday the eighth day of March, next, at nine o'clock in the forenoon, to vote upon the following subjects:

ARTICLE 1. To choose a Treasurer for the ensuing year, and a Town Clerk, Selectman, Cemetery Trustee, Library Trustee, a Trustee of Trust Funds and two members of the Budget Committee for three years.

ARTICLE 2. To choose all necessary officers for the Rye School District in accordance with the statutory procedure adopted by said district at its March 1962 annual meeting.

ARTICLE 3. To see if the Town will vote to amend the Building Code of the Town of Rye relating to the siting of septic tanks, as recommended by the Planning Board, to wit:

Amend the Building Code by deleting Sections 7.15 (a), (b), and (c) and substitute the following:

7.15 (b). *Requirements for Siting Septic Systems:* No test pits or percolation tests shall be performed during the period 15 June to 15 September. The Building Inspector may waive this requirement upon sufficient evidence that the soils to be tested are such that the data obtained by testing at that time would not be misleading.

7.15 (c). The bottom of the proposed leaching bed or trench and the floor of a leaching cesspool or leaching pit shall be a minimum of eight (8) feet above the top of any bedrock or impermeable substratum UNLESS THERE IS A MUNICIPAL OR STATE APPROVED COMMUNITY WATER SUPPLY. IN THIS CASE THE DISTANCE TO BEDROCK OR IMPERMEABLE SUBSTRATUM MAY BE REDUCED TO SIX (6) FEET. \*

7.15 (d). Any soil with a seasonal high water table at or within two feet of the natural ground surface shall not be used for the disposal of septic tank effluent.

7.15(e). The bottom of the proposed leaching bed or trench and the floor of a leaching cesspool or leaching pit shall be a minimum of four(4) feet above any seasonal high water table. \*

7.15(g). Any soil with a percolation rate of over 60 minutes per inch shall not be used for the disposal of septic tank effluent.

7.15(h). Any land area having a natural slope of 15% or greater shall not be altered or used for the disposal of septic tank effluent.

7.15(i). All sub-surface sewage disposal systems must be designed and constructed to meet the minimum standards as set forth in the regulations of the New Hampshire Water Supply and Pollution Control Commission in force as of 1 March 1976. These regulations are set forth in the manual "Guide for the Successful Design of Small Sewage Disposal Systems" published December 1974 and amended 5 January 1976.

7.15(k). THE REPAIR OR REPLACEMENT OF SEPTIC SYSTEMS IN EXISTENCE AS OF THE DATE OF THE ADOPTION OF THIS AMENDMENT ARE EXEMPT FROM THESE REQUIREMENTS TO THE EXTENT THAT THEY CANNOT MEET THESE REQUIREMENTS.

\* Fill may be added to meet the standards imposed by paragraphs (c) and (e) above, but may not be added to correct for any of the other listed conditions.

Amend the Building Code by re-lettering Paragraph 7.15(d) to Paragraph 7.15(j) and Paragraph 7.15(e) to Paragraph 7.15(a).

ARTICLE 4. To see if the Town will vote to amend the Building Code of the Town of Rye relating to the requirements of the Department of Housing and Urban Development for Flood Hazard Districts as recommended by the Planning Board, to wit:

a. Amend Section 3.2 by adding the words: "No building permit shall be issued until assurances are made that all required approvals from state and/or federal agencies have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334."

b. Amend the Building Code by adding a new Section 1.3(c) as follows:



1.3(c). *Flood Hazard Districts.* If a proposed building site is in a flood prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and mobile homes) shall (i) be designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement of the structure, (ii) be constructed with materials and utility equipment resistant to flood damage, and (iii) be constructed by methods and practices that minimize flood damage.

c. Amend the Building Code by adding a new Section 3.1(a) as follows:

3.1(a) Each building permit application for construction or substantial improvement shall contain the following information:

(1) Elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures whether or not such structures contain a basement.

(2) If the structure has been flood proofed, the elevation (in relation to mean sea level) to which the structure was flood proofed.

The Building Inspector shall maintain a record of all such information.

d. Amend the Building Code by adding a new Section 1.3(d) as follows:

1.3(d) *Alteration of Water Courses.* If any party proposes to alter or relocate a water course, the Building Inspector shall notify the New Hampshire Water Resources Board, the Water Supply and Pollution Control Commission, the Special Board, and the Administrator of the Federal Insurance Administration.

e. Amend the Building Code by adding a new Section 3.1(b) as follows:

3.1(b) No permit shall be given for a project which reduces the flood carrying capacity of a water course.

f. Amend the Building Code by adding a new Section 7.17 as follows:

7.17 *Mobile Homes.* All mobile homes within Zone A on the Flood Hazard Boundary Maps shall be anchored to resist floatation, collapse, or lateral movement by providing

over-the-top and frame ties to ground anchors. Specific requirements shall be that (i) over-the-top ties be provided at each of the four corners of the mobile home with two additional ties per side at intermediate locations and mobile homes more than 50 feet long requiring one additional tie per side, (ii) frame ties be provided at each corner of the home with five additional ties per side at intermediate points and mobile homes more than 50 feet long requiring four additional ties per side, (iii) all components of the anchoring system be capable of carrying a force of 4800 pounds, and (iv) any additions to the mobile home be similarly anchored.

g. Amend the Building Code by adding to Section 3 a new Section 3.1 (c) as follows:

3.1 (c) Flood-related erosion-prone areas shall be governed by the following standards:

(1) A permit is required for all proposed construction or other development in the area of flood-related erosion hazard as it is known to the community.

(2) Each permit application will be reviewed to determine whether the proposed site alterations and improvements will be reasonably safe from flood-related erosion and will not cause flood-related erosion hazards or otherwise aggravate the existing flood-related erosion hazard.

(3) If a proposed improvement is found to be in the path of flood-related erosion or to increase the erosion hazard, the improvement must be relocated or adequate protective measures taken which will not aggravate the existing erosion hazard.

h. Amend the Building Code by adding a new paragraph 7.15 (f) as follows:

7.15 (f). All new onsite waste disposal systems to be located so as to avoid impairment to them or contamination from them during flooding.

ARTICLE 5. To see if the Town will vote to amend the Zoning Ordinance of the Town of Rye relating to the requirements of the Department of Housing and Urban Development for Flood Hazard Districts as recommended by the Planning Board, to wit:

a. Amend the Zoning Ordinance by adding to Section 3. Use Districts: Flood Hazard District

b. Amend the Zoning Ordinance by adding a new Section as follows:

#### *SECTION 11B. — FLOOD HAZARD DISTRICT*

1. The Flood Hazard Boundary Map #330141, H01-07, dated June 28, 1974, as promulgated by the Department of Housing and Urban Development, as amended, shall be an overlay to the Town of Rye Zoning Map. When a property is located in a Flood Hazard District, all new construction and substantial improvements shall conform to the requirements for the Flood Hazard District, as enumerated, as well as those for the underlying zone.

2. All new construction (except docks, piers, jetties, groins and similar facilities) within Zones V 1-30 (coastal high hazard area) on Rye's Flood Insurance Rate Map (FIRM) shall be located landward of the reach of mean high tide (until such a map is issued by HUD, its V areas shall be deemed to include, at the least, all areas eastward of Route 1-A which are below 11 feet above mean sea level).

3. All new construction and substantial improvements within Zones V 1-30 shall:

(a) Be elevated on adequately anchored pilings or columns so that the lowest portion of the structural members of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level.

(b) A registered professional engineer or architect shall certify that the structure is securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave wash.

(c) The space below the lowest floor shall be free of obstructions or be constructed with "break away walls" intended to collapse under stress without jeopardizing the structural support of the structure so that the impact on the structure by abnormally high tides or wind-driven waters is minimized. Such temporarily enclosed space shall not be used for human habitation.

(d) The use of fill for structural support of buildings shall be prohibited.

(e) The placement of mobile homes, except in existing mobile home parks and mobile home subdivisions, shall be prohibited.

(f) Man-made alteration of sand dunes which would increase potential flood damage shall be prohibited.

4. Flood Evacuation Plans: All owners of mobile home parks, any portion of which lies in a Flood Hazard Area, shall within 90 days of the effective date of this ordinance, file a "Flood Evacuation Plan" with the Office of Civil Defense, the Fire Department and the Police Department. Such plan shall show alternative vehicular access and escape routes in the event of flooding.

ARTICLE 6. To see if the Town will vote to amend the Zoning Ordinance of the Town of Rye relating to the establishment of a Wetlands Conservation District as recommended by the Planning Board, to wit:

a. Amend the Zoning Ordinance by adding to Section 3. Use Districts: Wetlands Conservation District

b. Amend the Zoning Ordinance by adding a new section as follows:

#### *SECTION 11A.—WETLANDS CONSERVATION DISTRICT*

##### *1. General*

The Wetlands Areas of Rye are those areas of the town that contain fresh water marshes, tidal marshes, streams and ponds and soils defined as poorly drained or very poorly drained by the National Cooperative Soil Survey conducted by the USDA Soil Conservation Service.

The borders of tidal marshes and Eel Pond shall be protected 50 feet back from these borders as measured from the highest flooding of the ocean tides. The Wetland Conservation District as herein defined is shown on a map or maps designated as the Town of Rye Wetland Conservation District Map and is a part of the "Zoning Maps" of the Town of Rye, New Hampshire. For a detailed explanation of the soil types, see USDA Soil Survey of the Town of Rye, New Hampshire, dated April 1975, and the Soil Survey of N. H. Tidal Marshes on file with the Town Clerk and the Planning Board.

In all cases where the Wetland Conservation District is superimposed over another zoning district in the Town of Rye, New Hampshire, that district whose regulations are the most restrictive will apply.

In case the Building Inspector questions the validity of

the boundaries of a Wetland area on any particular piece of property, or upon the written petition of the owner or any abutter of said property to the Planning Board, the Board may call upon the services of an independent qualified soil scientist to examine said area and report his findings to the Planning Board for their determination of the boundary. Qualified Soil Scientist is interpreted to mean a person qualified in soil classification and who is recommended or approved by the Rockingham County Conservation District Supervisors.

## 2. Purpose

In the interest of public health, convenience, safety and welfare, the regulations of this District are intended to guide the use of areas of land with extended periods of high water tables.

A. To control the development of structures and land uses on naturally occurring wetlands which would contribute to pollution of surface and ground water by sewage.

B. To prevent the destruction of natural wetlands which provide flood protection, recharge the ground water supply, and the augmentation of stream flow during dry periods.

C. To prevent unnecessary or excessive expenses to the Town to provide and maintain essential services and utilities which arise because of unwise use of wetlands.

D. To encourage those uses that can be appropriately and safely located in wetland areas.

E. To preserve wetlands for other ecological reasons such as those cited in RSA 483A.

F. To preserve and enhance those aesthetic values associated with the wetlands of this Town.

## 3. Permitted Uses

A. Tidal Wetlands and Fresh Water Marsh: Any use that does not result in the erection of any structure or sign larger than 4 square feet, or alter the surface configuration by the addition of fill or dredging, and that is otherwise permitted by the Zoning Ordinance and State and Federal laws.

(1) Tidal Marshes and Eel Pond: There shall be no cutting of live trees with a diameter of six (6) inches or more measured four and one-half ( $4\frac{1}{2}$ ) feet above ground level within the 50 foot Border Zone of the tidal marshes and the Eel Pond. A woods road to a maximum width of 15 feet may

be made and maintained. Removal of dead and dying trees is premitted.

(2) Agriculture, such as harvesting marsh hay and gathering cast-up seaweed for fertilizer.

(3) Wildlife Refuge.

(4) Recreation such as boating, swimming, hiking, photography, and painting.

(5) Conservation areas and nature trails.

(6) Piers, wharves, floats or boat landings may be erected by a property owner on his own land at Rye Harbor, Little Harbor, Sagamore Creek or in other tidal creeks of this Town with the necessary State and Federal approvals. There shall be no piers, wharves, jetties or other structures erected on the ocean beaches or rocky headlands of Rye that shall project from the extreme high tide mark out from the land to or toward the ocean.

(7) The following structures are permitted on the tidal wetlands: Fences, footbridges, catwalks and wharves provided said structures are so constructed on posts or pilings as to permit the unobstructed flow of the tide, do not obstruct navigation on the tidal creeks and preserve the natural contour of the marshes.

(8) All other uses not delineated in 3-A above are prohibited.

B. Permitted Uses of Poorly Drained and Very Poorly Drained Areas: Permitted uses include any use that does not result in the erection of any structure or signs or alter the surface configuration by the addition of fill or dredging and that is otherwise permitted by the Zoning Ordinance and State and Federal laws. Permitted uses are:

(1) Forestry: Tree farming

(2) Accessory buildings not intended for human habitation and not having a septic system.

(3) Water impoundment and removal by land owners.

(4) Conservation areas and nature trails, wildlife refuge.

(5) Agriculture and aquaculture.

(6) Recreation.

(7) Where existing streams and drainage ways whose flow of water has become impeded by excessive vegetation of any kind or by fallen trees, logs, silt, natural detritus, or by any other means, the owner may have this condition corrected.

(8) All other uses not delineated in 3-B above are prohibited.

(4). Special Exceptions

A. Persons or corporations wishing to construct pipe lines or transmission lines for the delivery of essential public services across any designated wetland in the Town of Rye, must, in addition to complying with all other local and State regulations, apply for a permit from the Zoning Board of Adjustment and deposit a performance bond with the Selectmen to ensure that post-construction conditions are restored as nearly as possible to the original grade and appearance along the construction route. The amount of the refundable bond shall be determined by the Selectmen sufficient to pay the full costs of site restoration should the applicant fail to comply with the intent of this paragraph and the terms of his permit.

B. The construction of roads is exempt from the provisions of this ordinance with the exception that a construction permit from the Zoning Board of Adjustment, as above, is required; and will be issued upon certification that no alternative route is feasible.

C. Exceptions may not be granted:

(1) Unless it is essential to the productive use of land not so zoned.

(2) Unless it can be shown that such construction shall have a minimal detrimental impact upon the Wetland.

D. Economic advantage alone shall not be deemed sufficient reason for the above mentioned exceptions.

ARTICLE 7. To see if the Town will vote to amend the Zoning Ordinance of the Town of Rye relating to changes to existing septic systems as recommended by the Planning Board, to wit:

Amend the Zoning Ordinance Section 3, Paragraph 6. as follows:

6. (a) Construction of septic systems must comply

with side and rear yard requirements of the zoning regulations to preclude the flowage onto abutting property (ies).

(b) Alteration, repairs, or replacement or extensions of existing systems must comply with State Water Supply and Pollution Control Regulations promulgated under RSA 149-E.

ARTICLE 8. To see if the Town will vote to amend the Zoning Ordinance of the Town of Rye relating to the Rye Mosquito Control Commission as recommended by the Planning Board, to wit:

Amend the Zoning Ordinance Section 3, by adding a new Paragraph 7:

7. Nothing in this ordinance or any amendments hereto shall affect or regulate the ordinary and usual work of the Rye Mosquito Control District Commission operating under RSA 437-A and any amendments thereto.

ARTICLE 9. To see if the Town will vote to amend the Zoning Ordinance of the Town of Rye relating to overlay districts as recommended by the Planning Board, to wit:

Amend the Zoning Ordinance, Section 3, first sentence, to conform to the votes on questions C and D (Articles 5 and 6 above) on the Ballot.

You are hereby further notified to adjourn to meet at the Rye Junior High School on the twelfth day of March, next, at seven o'clock in the evening, to vote upon the following subjects:

ARTICLE 10. To see if the Town will authorize the Selectmen to hire money from the Trustees of Trust Funds.

ARTICLE 11. To see if the Town will authorize the Selectmen to hire money in anticipation of taxes.

ARTICLE 12. To see if the Town will vote to allow five percent discount on all property taxes paid within thirty days from the mailing of the tax bills.

ARTICLE 13. To see if the Town will vote to raise and appropriate the sum of six thousand twenty-five dollars (\$6,025.00) to lease the land and license the landfill on Lafayette Road. These monies to be taken from the special fund created under the State and Local Federal Assistance Act of 1972 (Title I, Public Law 92-512 approved October 20, 1972).



(This Article recommended by the Budget Committee)

ARTICLE 14. To see if the Town will vote to raise and appropriate the sum of sixteen thousand dollars (\$16,000.00) to provide storm drains, to continue the program started in 1974. These monies to be taken from the special fund created under the State and Local Fiscal Assistance Act of 1972 (Title I, Public Law 92-512 approved October 20, 1972).

(This Article recommended by the Budget Committee.)

ARTICLE 15. To see if the Town will vote to raise and appropriate the sum of six thousand dollars (\$6,000.00) for the purpose of defraying the fifth and final payment for the purchase of Sawyer's Beach, so called. These funds to be taken from the special fund created under the State and Local Fiscal Assistance Act of 1972 (Title I, Public Law 92-512 approved October 20, 1972).

(This Article recommended by the Budget Committee)

ARTICLE 16. To see if the Town will vote to raise and appropriate the sum of seven thousand dollars (\$7,000.00) for additional work on the parking area, emergency lighting, and equipment at the Town Hall and repairs to the hose tower at the Fire Station. These monies to be taken from the special fund created under the State and Local Fiscal Assistance Act of 1972 (Title I, Public Law 92-512 approved October 20, 1972).

(This Article recommended by the Budget Committee)

ARTICLE 17. To see if the Town will vote to raise and appropriate the sum of three hundred sixty-three dollars (\$363.00) for a public works project to be determined by the Selectmen in accordance with Title II, Public Works Employment Act of 1976.

(This Article recommended by the Budget Committee)

ARTICLE 18. To see if the Town will vote to purchase the Parsons Homestead, so called, owned by Esther W. Parsons of 520 Washington Road, Rye, N. H., as shown on Plan D-5145, recorded in the Rockingham County Registry of Deeds, consisting of house, barns, and approximately 52 acres of land in order to preserve the center of Rye and to make land available in the center of town for open space and for future town needs and activities at a total cost of \$214,700.00 apportioned as follows: Purchase price, \$194,000.00 with first payment of \$56,000.00; then four

equal payments of \$34,500.00 for the next four (4) succeeding years and 6% interest to be paid on the unpaid balance after the first payment; and further to see if the Town will raise and appropriate the sum of \$56,000.00 for the first payment; and further to see if the Town will vote to appropriate the sum of \$30,000.00 from the Revenue Sharing Account to offset part of the first payment; and further to authorize the Selectmen to enter into an agreement with the owner of the property for its purchase on the above terms.

(This Article submitted by the Budget Committee without recommendation)

ARTICLE 19. To see if the Town will appropriate the sum of seven hundred fifty dollars (\$750.00) for an appraisal according to Federal specifications of Lot No. 4 and those portions of Lot No. 1 not containing the house and barns on the Parsons Homestead, so-called, (Plan D-5145, Rockingham Registry), and after this is accomplished, to authorize the Selectmen to apply to the Federal Bureau of Outdoor Recreation for matching funds to help pay for this land. Also, to authorize the Selectmen to apply for and accept any other Federal, State, or private funds or grants which may be available and to apply them against the purchase of the Parsons Homestead.

(This Article disapproved by the Budget Committee)

ARTICLE 20. To see if the Town will vote to authorize the Selectmen, if the vote on Article 18 is favorable, to lease the house and barns on the Parsons Homestead, or portions thereof, to desirable tenants for an annual fee comparable to that normally received for the lease of such property and to use the income for necessary maintenance.

ARTICLE 21. On petition of Marcia C. Woicak and eleven (11) others, to see if the Town will vote to purchase the Parsons Homestead, owned by Esther W. Parsons, Washington Road, as shown on Plan D-5145, recorded in Rockingham County Registry, containing house, barns, and approximately 52 acres of land in order to preserve the center of Rye and to make land available in the center for open space and recreation, for the price of \$194,000.00 and for that purpose, to this year take monies in the amount of \$56,000.00, half from the special fund created under the State and Local Fiscal Assistance Act of 1976, and half from locally raised revenues, borrowing by notes or bonds that part of the remainder of the \$194,000.00 not available from other sources and making payments over the next four (4) ensuing years.

(This Article submitted by the Budget Committee without recommendation.)

ARTICLE 22. On petition of Marcia G. Woicak and nine (9) others, to see if the Town will vote to purchase the Parsons Homestead, owned by Esther W. Parsons, Washington Road, as shown on Plan D-5145, recorded in Rockingham County Registry, containing house, barns, and approximately 52 acres of land in order to preserve the center of Rye and to make land available in the center for open space and recreation for the price of \$194,000.00, and for that purpose to take money in the amount of \$30,000.00 from the special fund created under the State and Local Fiscal Assistance Act of 1976, and the remainder from locally raised revenues.

(This Article not approved by the Budget Committee)

ARTICLE 23. On petition of Marcia C. Woicak and eleven (11) others, to see if the Town will appropriate the sum of seven hundred fifty dollars (\$750.00) for an appraisal according to federal specifications of Lot No. 4 and those portions of Lot No. 1 not containing the house and barns on the Esther Parsons property (Plan D-5145, Rockingham County Registry), and then to apply to the Federal Bureau of Outdoor Recreation for matching funds to help pay for this land, using as the Town's share a portion of the \$194,000.00 appropriated in the preceding Article; and to apply to any other agency or foundation of the Selectmen's choice for additional financial assistance.

(This Article not approved by the Budget Committee)

ARTICLE 24. On petition of Marcia C. Woicak and eleven (11) others, to see if the Town will lease the house and barns on the Esther Parsons property, or lease portions thereof, to the present occupant, or secondly, to an appropriate historical society, or thirdly, to any other desirable tenants for an annual fee comparable to that normally received for the lease of such property, and to use this money for necessary maintenance and to reduce the debt on this property.

ARTICLE 25. On petition of John W. Hallowell, Jr. and twelve (12) others, to see if it is the sense of the people in Rye, N. H., to support the wishes of the people of Seabrook, expressed by their March 2, 1976 vote, in the Town election, not to allow a nuclear power plant in the Town of Seabrook; and further, that such facilities be located in towns or cities which have expressed a desire for them.

ARTICLE 26. On petition of Richard P. Hamlin and

eleven (11) others, to see if the Town will vote to accept Pine Street extension in Lawrence Woods in Rye. The road has been completed in accordance with Lawrence Woods subdivision plans approved by the Rye Planning Board and to the satisfaction of the Rye Highway Agent.

ARTICLE 27. On petition of Arthur W. Sandstrom and ten (10) others, to see if the Town will vote to accept Colbourn Road, located southerly of Washington Road, and described in the attached Warranty Deed.

ARTICLE 28. On petition of David S. S. Morrow and eighteen (18) others, to see if the Town will vote to amend Section 7 of the By-Laws relative to the licensing of mechanical devices in the Town by striking from said Section 7, "18 years" and substituting therefor "13 years".

ARTICLE 29. (a) To see if the Town will vote to accept the budget submitted by the Budget Committee and pass any vote in relation thereto, and,

(b) To raise and appropriate such sums of money as may be necessary to defray Town charges for the ensuing year.

ARTICLE 30. To transact any other business that may legally come before this meeting.

Polls will not close before seven o'clock p.m., March 8, 1977.

Business meeting at seven o'clock p.m., at the Rye Junior High School Auditorium on March 12, 1977.

Given under our hand and seal this tenth day of February in the year of our Lord, nineteen hundred and seventy-seven.

RALPH E. MORANG, JR.  
ROBERT B. GOSS  
ALDRICH MITCHELL, JR.  
*Selectmen of Rye*

A true copy, ATTEST:

RALPH E. MORANG, JR.  
ROBERT B. GOSS  
ALDRICH MITCHELL, JR.  
*Selectmen of Rye*

## **Results of 1977 Town Meeting**

At a legal meeting of the inhabitants of the Town of Rye, N. H., on the second Tuesday of March 1977 (March 8th) at the Town Hall in said Rye at 9 o'clock in the forenoon:

The meeting was called to order by Moderator Henri A. Camire and the warrant read through Article 2; the reading of Articles 3 through 9 were waived because of their length on a motion by Robert Goss, seconded by Jean Harrison.

Article 1. To choose all necessary Town officers for the ensuing year.

Article 2. To choose all necessary School District officers for the ensuing year; results recorded by the School District Clerk.

Article 3. To amend the building code relating to the siting of septic systems.

Yes - 719              No - 461

Article 4. To amend the building code relating to the requirements by HUD for Flood Hazard Districts.

Yes - 810              No - 341

Article 5. To amend the Zoning Ordinance relating to the requirements by HUD for Flood Hazard Districts.

Yes - 783              No - 337

Article 6. To amend the Zoning Ordinance relating to the establishment of a Wetlands Conservation District.

Yes - 735              No - 435

Article 7. To amend the Zoning Ordinance relating to changes to existing septic systems.

Yes - 599              No - 537

Article 8. To amend the Zoning Ordinance relating to the Rye Mosquito Control District Commission.

Yes - 901              No - 236

Article 9. To amend the Zoning Ordinance relating to overlay districts.

Yes - 635              No - 382

The adjourned meeting was called to order on March 12, 1977 at 7:04 p.m. by Moderator Henri Camire with a salute to the flag.

Results of the ballot election held March 8, 1977 were read by the Moderator.

Article 10. Moved by Mr. Goss, seconded by Mr. Morang, that Article 10 be accepted; so voted.

Article 11. Moved by Mr. Morang, seconded by Mr. Mitchell, that Article 11 be accepted; so voted.

Article 12. Moved by Mr. Goss, seconded by Mr. Morang, that Article 12 be accepted; so voted.

Article 13. Moved by Eugene Doherty, seconded by Mr. Goss, that Article 13 be accepted; so voted.

Article 14. Moved by Mr. Morang, seconded by Mr. Goss, that Article 14 be accepted; so voted.

Article 15. Moved by Eugene Doherty, seconded by Mr. Goss, that Article 15 be accepted; so voted.

Article 16. Moved by Mr. Morang, seconded by Mr. Goss, that Article 16 be accepted; so voted.

Article 17. Moved by Mr. Goss, seconded by Mr. Morang, who explained where the money came from, that Article 17 be accepted; so voted.

Article 18. Moved by Melvin Low, seconded by John Grimes, that Article 18 be tabled as the budget cannot be increased by the amount asked (more than 10% of the total budget); so voted.

Article 19. Moved by Mr. Mitchell, seconded by Albert Jee, that Article 19 be tabled; so voted.

Article 20. Since Article 18 was tabled, no action can be taken on Article 20 and it is tabled by the Moderator.

Article 22; Article 23; Article 24. Moved by Mr. Mitchell, seconded by John Tobey, that these three articles be tabled; so voted.

Article 21. Moved by Frances Holway, seconded by Victor Martin, that Article 21 be tabled; so voted.

Article 25. Moved by Guy Chichester, seconded by John Tobey, that Article 25 be accepted. John Hallowell, Walter Wilson, Paulann Stebbins, and Ralph Morang spoke in favor of the Article. Eugene Doherty, Perry Francis, and Patrick Foley spoke in opposition of the Article. Michael DiNola asked if the Town would be legally bound by the result of this Article; Acting Town Counsel Lindsay Brigham indicated "No". John Tobey moved the question; seconded by Elizabeth Tobey. Frances Holway and 7 others called for a secret ballot.

Results of secret ballot: No - 110                      Yes - 149

Article 26. Moved by Mr. Mitchell, seconded by Mr. Morang, that Article 26 be accepted; so voted.

Article 27. Moved by Mr. Morang, seconded by Mr. Mitchell, that Article 27 be accepted; so voted.

Article 28. Moved by Michael DiNola, seconded by Kevin Morahan, that Article 28 be accepted. Acting Police Chief Alvin Bissell spoke in opposition of this Article. Daniel Gingrass, a non-resident, was not allowed to speak. Article defeated.

Article 29. Moved by George W. Moynahan, Jr., seconded by Ralph Morang, that the budget of \$696,381.00 as presented by the Budget Committee, be accepted. It was moved by Peter Garrity, seconded by Joseph Mills, that an amendment be made to increase the budget to \$697,081.00, an increase of \$700.00, for the purpose of financing a one-day 4th of July celebration; so voted. It was then moved by Helen Potvin, seconded by Jacqueline Camire, that an amendment be made to increase the budget to \$698,681.00, an increase of \$1600.00, for the Library Account; so voted. Frances Holway questioned whether the Town was getting their moneys worth from the Auditor, who even at this date, had not completed the audit for 1977.

The amended budget for \$698,681.00 was adopted.

Article 30. Melvin Low spoke about the purchase of the Parsons' Homestead; he indicated that \$32,000.00 of the \$56,000.00 needed had already been pledged and it was hoped that the rest would be available by the April 8th option that the Parsons Park Corporation had on the property.

The meeting adjourned at 8:50 p.m. on a motion by Mr. Goss, seconded by Mr. Mitchell.

A true record, ATTEST:

LEIGH Y. JOHNSTON

*Town Clerk*

A true copy of the record, ATTEST:

LEIGH Y. JOHNSTON

*Town Clerk*



TOWN WARRANT  
THE STATE OF NEW HAMPSHIRE

L.S.

**Emergency Special Town Meeting**

BY ORDER OF SUPERIOR COURT

DATED SEPTEMBER 14, 1977

To the inhabitants of the Town of Rye in the County of Rockingham in said State, qualified to vote in town affairs:

You are hereby notified to meet at the Rye Junior High School in said Rye on Thursday, the sixth day of October, next, at seven o'clock (7:00) in the evening, to vote upon the following subjects:

ARTICLE 1. To see if the Town will vote to raise and appropriate the sum of two hundred and fourteen thousand seven hundred (\$214,700.00) dollars being the total Principal and interest of the purchase price of real estate owned by Parsons Park Corporation, of which fifty-six thousand (\$56,000) dollars shall be paid immediately and the balance of one hundred and fifty eight thousand seven hundred (\$158,700.00) dollars paid over four years in accordance with the terms of a certain promissory note and mortgage dated May 12, 1977, between Esther W. Parsons and the Parsons Park Corporation and to be assumed by the Town for the purpose of purchasing from the Parsons Park Corporation the land and buildings owned by it located at 520 Washington Road with approximately 52.5 acres of land, and to assume the terms and conditions contained in the Option Agreement dated March 4, 1977, between Esther Parsons and the Parsons Park Corporation, with the further restriction that the field to the south of the house is to remain as open space for a Town Common with no permanent structures to be built thereon.

(This Article Approved by the Budget Committee)

ARTICLE 2. To see if the Town will vote to appropriate forty thousand dollars (\$40,000) from as yet unappropriated Revenue Funds for the purchase of the Parsons Property if there is an affirmative vote on the first article in the warrant which is that the Town shall purchase this property. This money is to be taken from the balance now in the special fund created under the State and Local

Fiscal Assistance Act of 1972 (Title 1, Public Law 92-512, approved October 20, 1972), plus other monies still to be received under that Act for the balance of 1977.

(This Article Approved by the Budget Committee)

ARTICLE 3. To see if the Town will vote to establish a Parsons Park Board when and if the Town buys any property from the Parsons Park Corporation, said Board to advise and assist the Board of Selectmen in the management of the property and to make and receive suggestions for its use. The Board shall consist of one member each from the Board of Selectmen, the Conservation Commission, the Recreation Commission, and the Historic District Commission, together with five members at large to be appointed by the Selectmen, at least three of whom shall have been members of the Parsons Park Corporation for at least the first year of the Board's existence.

ARTICLE 4. To transact any other business that may legally come before this meeting.

Given under our hand and seal this fifteenth day of September in the year of our Lord, nineteen hundred and seventy-seven.

ROBERT B. GOSS

L.S.

ALDRICH MITCHELL, JR.

L.S.

RALPH E. MORANG, JR.

L.S.

*Selectmen of Rye,  
New Hampshire*

Rye, New Hampshire, September 21, 1977

We hereby certify that we gave notice to the inhabitants within named, to meet at the time and place and for the purpose within mentioned, by posting up an attested copy of the within Warrant at the Town Hall, Rye Post Office and the Rye Beach Post Office being public places in said Town on the fifteenth day of September, 1977 and published in the Portsmouth Herald on the twenty-first day of September, 1977.

ROBERT B. GOSS

ALDRICH MITCHELL, JR.

RALPH E. MORANG, JR.

*Selectmen of Rye,  
New Hampshire*

## **Results of October 6, 1977**

### **Emergency Special Town Meeting**

The October 6, 1977 special emergency town meeting was called to order at 7:05 p.m. by Moderator Henri Camire who read the warrant in its entirety.

ARTICLE 1. A motion was made by Selectman Ralph Morang to accept Article 1; motion seconded by Mrs. Frances Holway. Mrs. Shirley Tibbetts asked how the Selectmen intended to raise the money; Selectman Robert Goss indicated that it would have to be raised by taxation.

Mr. Melvin Low, member of the Parsons Park Corporation, asked for permission to give an informal presentation; the majority of those present voice voted to allow this to be done. Mr. Low then released the floor to Selectman Goss who presented the following amendment to Article 1 by striking out said article and replacing it as follows:

"To see if the Town will vote to raise and appropriate the sum of one hundred ninety four thousand dollars (\$194,000.00) being the purchase price of real estate owned by Parsons Park Corporation, of which fifty-six thousand dollars (\$56,000.00) shall be paid immediately and the balance of one hundred thirty-eight thousand dollars (\$138,000.00) paid over four years in accordance with the terms of a certain promissory note dated May 12, 1977 between Esther W. Parsons and the Parsons Park Corporation and to be assumed by the Town for the purpose of purchasing from the Parsons Park Corporation the land and buildings owned by it located at 520 Washington Road with approximately 52.5 acres of land, and to assume the terms and conditions contained in the Option Agreement dated March 4, 1977 between Esther Parsons and the Parsons Park Corporation, with the further restriction that the field to the south of the house is to remain as open space for a Town Common with no permanent structures to be built thereon."

Amendment seconded by Selectman Morang and accepted by voice vote.

Mr. Low then continued with his presentation; the following members of the Parsons Park Corporation also spoke: Stephen White on a land survey; Mrs. Linda Chace

on the house expenses and possible uses; David Duggan on tax assessments and tax rates; and Mrs. Holway on the impact on the tax rate now and in the future and the Revenue Sharing Fund.

Mr. William Ashley presented the following amendment:

“Furthermore, to authorize and instruct the Selectment to sell the house and one (1) acre of land for not less than \$125,000.00.”.

Amendment seconded by Mrs. Natalie Morrison. Mr. Ashley then presented the Moderator a request for a secret ballot for his amendment signed by six registered voters (only 5 signatures are required).

Amendment discussion: Robert Rives questioned the legality of an amendment to this article; Town Attorney Gary Holmes indicated he had reviewed the law and it was his opinion that this was a proper amendment and it does not change the original intent of the article. Paul Keefe stated that in his past experience that amendments often split a vote unnecessarily and he urged that the house remain as originally proposed and disposition of it be decided at the March meeting.

William Hurley, Attorney for the Parsons Park Corporation (P.P.C.), wanted the record to show that he objected to the motion to amend Article 1 and sighted RSA 39:2 as his reason. The P.P.C. takes the position that the amendment to sell the property prior to its purchase would change the intent of the original article and would be invalid under the statute. They feel that the most democratic way would be to insert a separate article to satisfy the requirements of Mr. Ashley’s amendment. Mr. Hurley further stated that it would not be fair to the voters since they were not put on adequate notice regarding any sale of the property.

Robert Bowen, member of P.P.C., presented another amendment to Mr. Ashley’s amendment as follows: “After presenting a description of the land to be included in the sale of the house at a future town meeting for approval.” His amendment was seconded by Mrs. Nancy Bowen.

Francis O’Rourke asked if it was proper to amend an amendment; Attorney Holmes answered “Yes”.

Standing vote count on the amendment to Mr. Ashley's amendment was "Yes" - 262 and "No" - 191. Amendment declared passed by the Moderator.

A motion was then made by Mr. Low to table the amended amendment; motion was seconded by Mrs. Elizabeth Tobey. After brief discussion, Mr. Ashley withdrew his amendment and Mrs. Morrison withdrew her second to Mr. Ashley's amendment.

Since a prior reference to the Revenue Sharing Fund was made in Mrs. Holway's presentation, Mrs. Tibbetts was allowed to ask where the Town was going to get \$40,000.00 since over \$35,000.00 was already appropriated at the March 1977 town meeting. Selectman Morang indicated that Treasurer William Bischoff indicated a balance of \$53,000.00 on September 1 of this year which included \$30,300.00 left from the 1976 balance, plus interest, plus the two payments already received since March on the 1977 Revenue Sharing Fund. One more payment of approximately \$11,000.00 will be received before the end of the year.

Guy Chichester and Mr. Keefe spoke again in favor of Article 1. Selectman Goss then moved the question which was seconded by Mr. Bowen and several others; so voted by voice vote.

A "Yes" and "No" checklist was taken; polls were officially open from 8:50 p.m. to 9:50 p.m. Voters were informed that the Article should require a 2/3 vote to pass. Results: "Yes - 445 "No" - 245. Total votes cast were 690; 460 needed for a 2/3 vote; Moderator Camire declared Article 1 DEFEATED.

Since Article 1 failed to be adopted, Selectman Goss made a motion that Articles 2, 3, and 4 be tabled; motion seconded by Selectman Morang and so voted by voice vote.

Meeting adjourned at 10::20 p.m.

Respectfully submitted,

LEIGH Y. JOHNSTON

*Town Clerk for the  
Town of Rye, New Hampshire*

A recount, requested by Melvin R. Low and 12 others, was held on October 22, 1977 in the Court Room at the Rye Town Hall. Ballot counters were Selectmen Ralph E. Morang, Jr., and Aldrich Mitchell, Jr., and Town Clerk Leigh Y. Johnston. Results: "Yes" - 445 and "No" - 245; needed for a 2/3 vote, 460. Article 1 declared defeated by recount by Moderator Camire; results of vote cast on October 6, 1977 was unchanged.

A true copy of the Record, ATTEST:

LEIGH Y. JOHNSTON  
*Town Clerk*













